



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640 ♦ 989.837.3300 \* 989.837.2717 Fax ♦ [www.cityofmidlandmi.gov](http://www.cityofmidlandmi.gov)

REGULAR MEETING OF THE MIDLAND CITY COUNCIL  
City Hall, 333 W. Ellsworth Street

November 23, 2015

7:00 p.m.

AGENDA

CALL TO ORDER - [Maureen Donker, Mayor](#)

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL - Thomas W. Adams  
Steve Arnosky  
Diane Brown Wilhelm  
Maureen Donker  
Marty A. Wazbinski

CONSIDERATION OF ADOPTING CONSENT AGENDA ITEMS:

All resolutions marked with an asterisk are considered to be routine and will be enacted by one motion. There will be no separate consideration of these items unless a Council member or citizen so requests during the discussion stage of the "Motion to adopt the Consent Agenda as indicated". If there is even a single request the item will be removed from the consent agenda without further motion and considered in its listed sequence in regular fashion.

APPROVAL OF MINUTES:

1. [\\* Approve minutes of the November 9 regular City Council meeting. TISDALE](#)

PROCLAMATIONS, AWARDS, RECOGNITIONS, PRESENTATIONS:

2. [Recognition of Patrol Sergeant Dan Keeler as the 2015 Carl and Esther Gerstacker Police Officer of the Year. BLOCK](#)
3. [Recognition of Firefighter Tyler Alden as the 2015 Carl and Esther Gerstacker Firefighter of the Year. COUGHLIN](#)
4. [Recognition of Fire Marshal Joshua Mosher as the 2015 Michigan Fire Inspectors Society Fire Inspector of the Year. COUGHLIN](#)

PUBLIC HEARINGS:

5. [Amendment to the 2015-16 General Fund budget to increase revenues and expenditures by \\$14,000 for installation of trail signage at the City Forest \(also see material sent in the November 9 agenda packet\). MURPHY](#)

PUBLIC COMMENTS, IF ANY, BEFORE CITY COUNCIL. (Please sign up with City Clerk before meeting). This is an opportunity for people to address the City Council on issues that are relevant to Council business but are not on the agenda.

ORDINANCE AMENDMENTS:

RESOLUTIONS:

6. [Receiving and filing the 2016-17 Budget Preparation Schedule. KEENAN](#)
7. [Notifying the Council of the filing of the 2015 Local Officers' Compensation Commission Determinations and scheduling a public hearing on the Determinations for the December 7, 2015 City Council meeting. TISDALE](#)
8. [\\* Making Traffic Control Order R-15-04 Permanent - that the speed limit on S. Saginaw Road from Mark Putnam Road to 275 feet south of Discovery Way shall be 45 mph. MCMANUS](#)
9. [\\* Approving the request of Momentum Midland to conduct a Midland Winter Village on December 3, 10 and 17. MCMANUS](#)
10. [\\* Approving the request of the Midland Downtown Business Association to conduct Holly Jolly Days on the weekends of December 5 & 6 and December 12 & 13. MCMANUS](#)

Considering purchases and contracts:

11. [\\* E10 Ethanol Blend Unleaded Fuel purchase from November 10 \(4/5 vote required\). MURPHY](#)
12. [\\* Refurbishment of a Tandem Axle Dump Truck \(4/5 vote required\). MURPHY](#)
13. [\\* Purchase Order Increase to CTI and Associates, Inc. for general engineering services at the Landfill. BUSH](#)
14. [\\* Purchase Order Increase to Stantec Consulting of Michigan for additional construction phase engineering services for painting, sealing and masonry repairs at the Wastewater Treatment Plant. BUSH](#)
15. [\\* Propagation Study for pump/lift station telemetry - Wastewater. BUSH](#)

Setting a public hearing:

NEW BUSINESS:

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TO CONTACT THE CITY WITH QUESTIONS OR FOR ADDITIONAL INFORMATION:

Citizen Comment Line:	837-3400
City of Midland website address:	<a href="http://www.cityofmidlandmi.gov">www.cityofmidlandmi.gov</a>
City of Midland email address:	<a href="mailto:cityhall@midland-mi.org">cityhall@midland-mi.org</a>
Government Information Center:	located near the reference desk at the Grace A. Dow Memorial Library

Attached documents for item Maureen Donker, Mayor

Attached documents for item \* Approve minutes of the November 9 regular City Council meeting. TISDALE

November 9, 2015

A regular meeting of the City Council was held on Monday, November 9, 2015, at 7:00 p.m. in the Council Chambers of City Hall. Selina Tisdale, City Clerk, opened the council meeting and invited those assembled to recite the Pledge of Allegiance to the Flag.

The roll of those elected to the office of Councilman in each of the City's wards was then called:

Ward I	Thomas W. Adams – present
Ward II	Maureen Donker - present
Ward III	Steve Arnosky – present
Ward IV	Diane Brown Wilhelm – present
Ward V	Marty A. Wazbinski – present

Selina Tisdale then administered the Oath of Office to each Councilman.

### **SELECTION PROCESS OF MAYOR AND MAYOR PRO TEM**

Per City Charter the Council at its first regular meeting following each regular biennial city election shall select one of its members to serve as Mayor and one of its members to serve as Mayor Pro Tem. The Mayor shall be recognized as the executive head of the city and has an equal voice and vote in the proceedings of the Council. The Mayor Pro Tem shall perform the duties of the Mayor when, on account of absence from the city, disability, or otherwise, the Mayor is temporarily unable to perform the duties of his office. The Mayor Pro Tem shall preside over the meetings of the Council at the call of the Mayor.

Selina Tisdale, City Clerk, instructed that a written but public ballot could be used to elect the Mayor and Mayor Pro Tem, if Council so desired, or the appointment could be made by a motion of one Councilman and seconded by another. The newly-elected Council agreed that the election of Mayor and Mayor Pro Tem would be made by a motion.

### **MAYOR SELECTION**

The role of the Mayor was summarized and the selection of the Councilman to that position was considered. Councilman Wazbinski moved, seconded by Councilman Adams, that Maureen Donker be selected as Mayor. The following resolution was then presented for consideration:

RESOLVED, that Maureen Donker is hereby selected to serve as Mayor of the City of Midland for the 2015-2017 term. (Motion ADOPTED.)

### **MAYOR PRO TEM SELECTION**

The selection of the Mayor Pro Tem was then considered. Councilman Brown Wilhelm moved, seconded by Councilman Arnosky, that Councilman Wazbinski be named as Mayor Pro Tem. The following resolution was then presented for consideration:

RESOLVED, that Marty A. Wazbinski is hereby selected to serve as Mayor Pro Tem of the City of Midland for the 2015-2017 term. (Motion ADOPTED.)

Maureen Donker, selected by her peers to serve as Mayor, accepted the gavel from Selina Tisdale, City Clerk.

Mayor Donker called for motions from Council to adopt Robert's Rules of Order to govern the Council proceedings, adopt rules in recognition of the provisions of the Open Meetings Act, adopt rules in recognition of the provisions of the Freedom of Information Act and called for the

## UNAPPROVED

appointing of councilmen to represent the City of Midland on the MBS International Airport Commission, the Midland Area Emergency Medical Board, and as the City of Midland's Legislative Director.

### **ROBERT'S RULES OF ORDER**

The following resolution was offered by Councilman Adams and seconded by Councilman Brown Wilhelm:

RESOLVED, that Robert's Rules of Order Newly Revised edition, or as may be amended, be and are hereby adopted to govern, during the current term, the proceedings of the Midland City Council. (Motion ADOPTED.)

### **RULES IN RECOGNITION OF THE PROVISIONS OF THE OPEN MEETINGS ACT**

The following resolution was offered by Councilman Arnosky and seconded by Councilman Brown Wilhelm:

RESOLVED, that this resolution shall supercede the City Council resolution dated November 11, 2013, and Sections 7 and 8 of the Open Meetings Act as found in Public Act 267 of 1976 as amended shall govern any proposed closed session of the City Council; and

RESOLVED FURTHER, that the following rules in recognition of the provisions of the Open Meetings Act are hereby adopted:

1. Addressing Council Meetings: Any person in attendance at a meeting of the City Council may address the Council any time his remarks are germane to the agenda item being discussed by the Council upon being recognized by the presiding officer.

The agenda of every regular council meeting of the City shall include one agenda item described as either "public comment" or "new business". The presiding officer shall recognize any person in attendance at the meeting under the provisions of these rules to speak under this agenda item on any subject upon which the Council may properly and lawfully take action.

The presiding officer shall recognize members of the public for reasonable periods and under such conditions as the presiding officer may prescribe to prevent disruption of the business of the Council.

The presiding officer shall not permit members of the public to discuss matters not germane to the agenda item being discussed nor shall the presiding officer permit obscene or insulting comments, actions or printed material.

No person shall be permitted to address the Council unless recognized by the presiding officer and, upon such recognition, the person recognized shall speak at the microphone provided, if any, and give his name and address and disclose upon whose behalf he desires to address the Council if he is appearing in a representative capacity.

2. Meeting Notices: The City Clerk is hereby authorized and directed to make a reasonable estimate of the yearly cost of reproducing and mailing notices of all meetings of the City Council and, on an individual yearly basis, meeting notices for any board, commission, or committee of the City created by the ordinances of the City or resolution of the City Council. Such reasonable estimated costs shall be filed in the office of the Clerk and shall be the charge made to a party making a written request for the same as provided in Section 6 (1) of the Open Meetings Act. However, no charge shall be made to any newspaper or radio and television station requesting such notices nor shall a charge be made to any party requesting meeting notices of the Council or of any single board, commission or committee. A charge shall be made to a party, other than the news media, requesting annual notice for multiple types of meetings.

3. Agendas: Agendas published in advance and furnished to the City Clerk shall be provided to parties entitled to notice of public meetings pursuant to Sections 6 (1) and (2) of the Open Meetings Act and under the same provisions as part 2 above.

4. **Minutes:** The City Clerk shall determine the reasonable estimated cost of reproducing minutes of the City Council's meetings and the minutes of any board, commission and committee created by the ordinances of the City of resolutions of the City Council. Such reasonable estimates of cost, based on four (4) cents per page plus the time required of the lowest paid, permanent, full-time clerical employee of the Clerk's Office to retrieve and reproduce the requested minutes, calculated to the nearest one-sixth of the hourly wage rate, shall be filed in the Clerk's Office. There will be no charge for minutes when the cost is five dollars (\$5.00) or less. If the request for copies of minutes exceeds a total cost of five dollars (\$5.00), the actual costs shall constitute the charge made pursuant to Section 9 of the Open Meetings Act. (Motion ADOPTED.)

#### **RULES - RECOGNITION OF THE PROVISIONS OF THE FREEDOM OF INFORMATION ACT**

The following resolution was offered by Councilman Wazbinski and seconded by Councilman Arnosky:

WHEREAS, subsection 6(1) of the Freedom of Information Act (the "Act"), MCL 15.231, et seq. provides that a public body that is a city shall designate an individual as its Freedom of Information Act Coordinator; and

WHEREAS, subsection 4(3) of the Act requires a public body to establish and publish procedures and guidelines to implement the assessing of costs under said Act; and

WHEREAS, section 10 of the Act provides for the establishment of appeals from denials; now therefore

RESOLVED, that the City of Midland hereby adopts Public Act 442 of 1976, being MCL 15.231, et seq.; and

RESOLVED FURTHER, that the City Attorney is hereby designated as the City of Midland's Freedom of Information Act Coordinator; and

RESOLVED FURTHER, that the City Council of the City of Midland hereby adopts and establishes procedures and guidelines pursuant to the Freedom of Information Act and more specifically set out in the City of Midland Freedom of Information Act Procedures and Guidelines with an effective date of July 1, 2015 and can be found on the City of Midland's website at [www.cityofmidlandmi.gov](http://www.cityofmidlandmi.gov), at City Hall, the Grace A. Dow Memorial Library, Law Enforcement Center and Department of Public Services. Procedures for processing a request shall be established by the Freedom of Information Act Coordinator, made available to the public, and updated as necessary. (Motion ADOPTED.)

#### **MBS INTERNATIONAL AIRPORT COMMISSION APPOINTMENT**

Councilman Wazbinski moved, seconded by Councilman Arnosky, to appoint Councilman Adams to the MBS International Airport Commission. The following resolution was then presented for consideration:

RESOLVED, that Thomas Adams be designated and is appointed as the City Council's representative for the duration of his current term of office to the Board of the MBS International Airport Commission. (Motion ADOPTED.)

#### **MIDLAND AREA EMERGENCY MEDICAL BOARD APPOINTMENT**

Councilman Wazbinski moved, seconded by Councilman Brown Wilhelm, to appoint Councilman Adams to the Midland Area Emergency Medical Board. The following resolution was then presented for consideration:



## UNAPPROVED

RESOLVED, that Thomas Adams be designated and is appointed as the City Council's representative for the duration of his current term of office to the Midland Area Emergency Medical Board. (Motion ADOPTED.)

### **MIDLAND'S LEGISLATIVE DIRECTOR APPOINTMENT**

Councilman Adams moved, seconded by Councilman Arnosky, to appoint Councilman Brown Wilhelm as the City of Midland's Legislative Director. The following resolution was then presented for consideration:

RESOLVED, that Councilman Brown Wilhelm be designated and is appointed as the City Council's representative for the duration of his current term of office as the City of Midland's Legislative Director. (Motion ADOPTED.)

### **MINUTES**

Approval of the minutes of the October 26, 2015 special and regular meetings was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski. (Motion ADOPTED.)

### **2015-16 GENERAL FUND BUDGET AMENDMENT – PARK IMPROVEMENTS**

Department of Public Services Director Karen Murphy presented information on an amendment to the 2015-16 General Fund budget to increase revenues and expenditures to recognize \$87,000 in reallocated grant funds for ongoing park improvements. A public hearing opened at 7:30 p.m., recognizing no public comments, the hearing closed at 7:30 p.m. The following resolution was then offered by Councilman Arnosky and seconded by Councilman Brown Wilhelm:

WHEREAS, the City has \$87,000 in remaining funds from a grant from The Herbert H. and Grace A. Dow Foundation related to infrastructure and public asset improvements; and

WHEREAS, the City sent a formal request to The Herbert H. and Grace A. Dow Foundation asking to reallocate these funds to be used on two ongoing park improvement projects in Chippewassee Park and along the Tittabawassee riverfront and the Foundation approved said request; and

WHEREAS, in order to utilize the funds for the park improvements the FY 2015-16 General Fund budget must be amended to recognize the prior year's revenue and the associated project expenses; and

WHEREAS, in accord with Sections 5.11, 11.4 and 11.6 of the Charter of the City of Midland, and after having given proper legal notice, and having conducted a public hearing on Monday, November 9, 2015, on the proposal to amend the 2015-16 General Fund budget to reallocate the grant funds by increasing revenue, as well as expenditures by the same amount to fund the costs associated with this project; now therefore

RESOLVED, that the 2015-16 General Fund budget is hereby amended to increase revenues and expenditures by \$87,000 to recognize the reallocated grant funds for use on existing park improvement projects. (Motion ADOPTED.)

### **CHANGE ORDER FOR PARK IMPROVEMENTS**

Department of Public Services Director Karen Murphy presented information on Change Order No. 2 for the Chippewassee Park Pathway and River Overlook project for additional drainage work. The following resolution was then offered by Councilman Adams and seconded by Councilman Wazbinski:

UNAPPROVED

WHEREAS, the City has reallocated grant funds from The Herbert H. and Grace A. Dow Foundation that are to be used to add drainage in Chippewassee Park in conjunction with the pathway renovation project; and

WHEREAS, the General Fund budget has been appropriately amended to include funding necessary for this project; and

WHEREAS, PM Blough, Inc. has submitted a change order to the existing Chippewassee Park Pathway and River Overlooks project for \$38,200 detailing the work to be done to address the drainage issue in Chippewassee Park in conjunction with the pathway renovation; now therefore RESOLVED, that the change order in the amount of \$38,200 is hereby approved to include additional drainage work needed in Chippewassee Park; and

RESOLVED FURTHER, that the Purchasing Agent is authorized to increase the following purchase orders per the approved change order:

- PO # 2016-00000433 to PM Blough, Inc. – increase by \$1,000
- PO # 2016-00000060 to Silver Ridge Stone, Inc. – increase by \$4,800
- PO # 2016-00000508 to Sajdak Contractor – increase by \$32,200

(Motion ADOPTED.)

**2015-16 WATER ENTERPRISE FUND BUDGET AMENDMENT – US10 WATERMAIN**

Utilities Director Noel Bush presented information on an amendment to the 2015-16 Water Enterprise Fund budget for the MDOT US10 Water Main Project. A public hearing opened at 7:45 p.m., recognizing no public comments, the hearing closed at 7:45 p.m. The following resolution was then offered by Councilman Arnosky and seconded by Councilman Wazbinski:

WHEREAS, in accord with Sections 5.11, 11.4, and 11.6 of the Charter of the City of Midland, and after having given proper legal notice, a public hearing was conducted on Monday, November 9, 2015, on the proposal to amend the 2015/16 Water Enterprise Fund budget; now therefore

RESOLVED, that the 2015/16 Water Enterprise Fund budget is hereby amended to increase revenues by \$255,000 from working capital, and to increase appropriations in the amount of \$255,000, for the MDOT Eastman Avenue Water Main Project. (Motion ADOPTED.)

**PUBLIC COMMENTS**

No public comments were made.

**GRANT – CITY FOREST TRAIL SIGNAGE**

Department of Public Services Director Karen Murphy presented information on a \$14,000 grant from the Midland Area Community Foundation for City Forest trail signage. The following resolution was then offered by Councilman Arnosky and seconded by Councilman Brown Wilhelm:

WHEREAS, the City has been awarded a grant of \$14,000 from the Midland Area Community Foundation's T.O.W.N. grant program for the installation of trail signage at the City Forest; and WHEREAS, the project involves installing trail network signs throughout the trail system to help park users better navigate the City Forest; and

WHEREAS, the City will match the grant with \$14,000 of project funds available in the Parks Operating budget; now therefore

RESOLVED, that the City Council graciously accepts this generous grant of \$14,000 from the Midland Area Community Foundation. (Motion ADOPTED.)

**PROPOSED 2015-16 GENERAL FUND BUDGET AMENDMENT – CITY FOREST SIGNAGE**

Department of Public Services Director Karen Murphy introduced a resolution setting a public hearing to amend the 2015-16 General Fund budget to increase revenues and expenditures by \$14,000 for the installation of trail signage at City forest. The following resolution was then offered by Councilman Arnosky and seconded by Councilman Adams:

WHEREAS, the City has been awarded a grant from the Midland Area Community Foundation for \$14,000 for the installation of trail signage at the City Forest; and

WHEREAS, the FY 2015-16 General Fund budget does not currently include adequate revenues or expenditures related to this project, and in order to spend these grants for the purpose intended, it is necessary to amend the FY 2015-16 General Fund budget; now therefore

RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted at 7:00 p.m., November 23, 2015 in the Council Chambers of City Hall on the proposal to amend the FY 2015-16 General Fund budget to increase revenues and expenditures to recognize a grant in the amount of \$14,000 from the Midland Area Community Foundation for the installation of trail signage at the City Forest; and

RESOLVED FURTHER, that the City Clerk is hereby directed to give notice as provided in Section 5.11 of the Charter of the City of Midland. (Motion ADOPTED.)

**2014-15 SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY ANNUAL REPORT**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

RESOLVED, that the Saginaw-Midland Municipal Water Supply Corporation 2014-2015 Annual Report be received and filed in the office of the City Clerk. (Motion ADOPTED.)

**2014-15 SMMWS ANNUAL FINANCIAL STATEMENTS AND AUDITORS REPORT**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

RESOLVED, that the Saginaw-Midland Municipal Water Supply Corporation Annual Financial Statements and Auditors' Report dated June 30, 2015, with comparative figures for June 30, 2014, be received and filed in the office of the City Clerk. (Motion ADOPTED.)

**TRAFFIC CONTROL ORDER D-15-02**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

RESOLVED, that Traffic Control Order No. D-15-02 filed September 7, 2015 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That the intersection of E. Sugnet Road and Swede Avenue shall be controlled by traffic signal operation with operational time frames as determined by common engineering practice and judgment.

is hereby made permanent. (Motion ADOPTED.)

**REAPPT OF VELASQUEZ – BROWNFIELD REDEVELOPMENT FINANCE AUTHORITY**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

UNAPPROVED

RESOLVED, that Jenee Velasquez is hereby reappointed to the Brownfield Redevelopment Financing Authority for a term expiring December 1, 2018. (Motion ADOPTED.)

**PYLMOUTH ELEMENTARY PTO – CHARITABLE GAMING LICENSE**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

RESOLVED, that the request from Plymouth Elementary PTO of the City of Midland, county of Midland, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license, be considered for approval. (Motion ADOPTED.)

**WASHINGTON WOODS WATER MAIN REPLACEMENT & PARKING LOT RECONST.**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, sealed proposals have been advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for water main replacement and parking lot reconstruction at Washington Woods; and

WHEREAS, funding for this project is provided by the approved 2015/16 Washington Woods budget; now therefore

RESOLVED, that the low sealed proposal submitted by Pat's Gradall Services of Midland, Michigan, for the "2015 Washington Woods Water Main Replacement and Parking Lot Reconstruction; Bid No. 3735", in the indicated amount of \$85,655.00, based upon City estimated quantities is hereby accepted and the Mayor and the City Clerk are authorized to execute a contract therefore in accord with the proposal and the City's specifications; and

RESOLVED FURTHER, that the City Manager has the authority to approve change orders modifying or altering this contract in an aggregate amount not to exceed \$12,345.00. (Motion ADOPTED.)

**UNLEADED AND DIESEL FUEL PURCHASE**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, City Council adopted a resolution on December 17, 2007 that allows the Purchasing Agent to purchase full tankers of unleaded gasoline and diesel fuel exceeding \$20,000, and seek approval for the purchase at the next City Council meeting; and

WHEREAS, City Council reviewed the process on December 21, 2009 and decided to continue as it still provides a significant cost savings to the City; and

WHEREAS, the volatility of the fuel market does not allow for staff to follow the usual sealed bid process for purchases exceeding \$20,000; and

WHEREAS, staff instead uses a competitive bid process whereby fuel vendors fax in prices that are valid for a particular day with the bid awarded to the lowest priced vendor; now therefore

RESOLVED, that the requirements for sealed proposals for the purchase of fuel are waived due to the volatility of the fuel market; and

RESOLVED FURTHER, that the purchase of 13,403 gallons of E10 ethanol blend unleaded and 12,001 gallons of Winter Blend diesel fuel from Tri-Lakes Petroleum of Alma, Michigan for \$43,970.10 executed by the Purchasing Agent on October 20, 2015, is hereby approved. (Motion ADOPTED.)

### **TREE REMOVALS – EMERALD ASH BORER**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, the City has undertaken an Emerald Ash Borer (EAB) program in order to first save its ash trees if possible through a chemical injection process and only second to remove ash trees that are beyond saving; and

WHEREAS, some of the ash trees deemed hazardous are only accessible by going through private property to reach trees on adjacent City property; and

WHEREAS, the property owner must give the City permission to access the trees via their property; and

WHEREAS, the City obtains three quotes for the identified tree removals on City property at the specific address and involves the property owner in selecting the contractor they are most comfortable granting access; and

WHEREAS, Advance Arborist LLC of Midland, Michigan has typically been the low bidder in this process thus far in addition to providing satisfactory work; and

WHEREAS, sufficient funding for such service is available in the Emerald Ash Borer project account for FY2015-16; now therefore

RESOLVED, that the Purchasing Agent is authorized to issue a purchase order to Advanced Arborist LLC of Midland, Michigan for up to \$70,000 for EAB related tree removals on City property. (Motion ADOPTED.)

### **PURCHASE - DIAL-A-RIDE BUSES**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, the City of Midland requested replacement of three buses in the Dial-A-Ride fleet under the FY2015 Section 5339 Small Urban Capital federal grant program through the State of Michigan, and the FY2015 Section 5307 federal grant program through the Federal Transit Administration; and

WHEREAS, the State of Michigan Department of Transportation and the Federal Transit Administration have approved said request and acquired the necessary state matching funds for the purchase of these replacement buses; and

WHEREAS, sufficient funding for the purchase of the buses is included in the FY 2015-16 Dial-A-Ride budget for Capital Outlay, Vehicles along with the corresponding revenue from the Section 5339 and Section 5307 capital grants; now therefore

RESOLVED, that the purchase of the buses through the State of Michigan Extended Purchasing Program is hereby authorized; and

RESOLVED FURTHER, that the Purchasing Agent is authorized to issue a purchase order to the State of Michigan's selected vendor, Hoekstra Transportation, Inc. of Grand Rapids, Michigan in the amount of \$193,463 for the purchase of three 8+2 passenger cutaway buses, all in accordance with the State of Michigan's Extended Purchasing Program proposal and specifications; and

RESOLVED FURTHER, that the City Manager is authorized to approve change orders up to \$6,000 for any unforeseen additional expenses incurred during fabrication of the buses; and

RESOLVED FURTHER, that after the new replacement buses are put into service, the old buses shall be sold in accordance with Code Section 2-22 and 2-23, and the proceeds be used for Dial-A-Ride operational expenses. (Motion ADOPTED.)



### **TRUCK BODIES AND EQUIPMENT FOR REFURBISHED TRUCKS**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, competitive bids for dump truck and equipment installation, including hook lift systems and dump bodies, were solicited by the City of Rochester Hills, Michigan on behalf of the City of Midland; and

WHEREAS, the net low bid meeting specifications for the hook lift system and dump bodies with installation was offered by Truck and Trailer Specialties of Dutton, MI; and

WHEREAS, sufficient funding exists in the FY 2015-16 Equipment Revolving Fund budget for Capital Outlay – Vehicles to retrofit City unit 337 with a hook lift system and City units 309 and 341 with stainless steel dump bodies and associated equipment; now therefore

RESOLVED, that the Purchasing Agent is authorized to issue a purchase order to Truck and Trailer Specialties of Dutton, MI in the amount of \$116,610.00 for the supply and installation of a hook lift system on City unit 337 and heated stainless steel dump bodies and associated equipment on City units 309 and 341; and

RESOLVED FURTHER, that the City Manager be authorized to approve changes to the purchase order up to 5% of the total cost. (Motion ADOPTED.)

### **CONDITIONAL USE PERMIT NO. 55**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, Kyle Arnold submitted a request for a conditional land use permit for two two-family residential dwellings in an Office Service zoning district, located at 411 West Indian Street; and  
WHEREAS, the City Planning Commission has conducted a public hearing in accord with Section 28.02(A) of the Zoning Ordinance of the City of Midland on said conditional use; and  
WHEREAS, the Planning Commission has submitted its recommendation of approval, in accord with Section 28.02(B) of the Zoning Ordinance of the City of Midland; now therefore

RESOLVED, that notice is hereby given that a public hearing will be held by the City Council on December 7, 2015, at 7:00 p.m. in the Council Chambers, City Hall, for the purpose of considering the request for a conditional use permit; and

RESOLVED FURTHER, that the City Clerk is hereby directed to notify property owners and occupants within three hundred (300) feet of the area proposed by transmitting notice on or before November 20, 2015 and to publish said notice on November 21, 2015. (Motion ADOPTED.)

### **ZONING PETITION NO. 602**

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski:

WHEREAS, a public hearing was held by the Planning Commission on Tuesday, October 27, 2015 for property located at 5805 and 5911 Stark Road and 6902 and 6909 North Saginaw Road from Office Service and RA-1 Single-Family Residential zoning to Regional Commercial zoning for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland from Office Service and RA-1 Single-Family Residential zoning to Regional Commercial zoning; now therefore

RESOLVED, that notice is hereby given that a public hearing will be held by the City Council on Monday, December 7, 2015, at 7:00 p.m. in the Council Chambers, City Hall, for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning

UNAPPROVED

Ordinance of the City of Midland, as set forth in the following proposed Ordinance, which is hereby introduced and given first reading; and

RESOLVED FURTHER, that the City Clerk is hereby directed to notify property owners within three hundred (300) feet of the area proposed to be rezoned by transmitting notice on or before November 20, 2015 and to publish said notice on November 21, 2015.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE NO. 1585, BEING AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION OF TRADES AND INDUSTRIES AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES, TO REGULATE AND LIMIT THE HEIGHT AND BULK OF BUILDINGS HEREAFTER ERECTED OR ALTERED, TO REGULATE AND DETERMINE THE AREA OF YARDS, COURTS, AND OTHER OPEN SPACES SURROUNDING BUILDINGS, TO REGULATE AND LIMIT THE DENSITY OF POPULATION, AND FOR SAID PURPOSES, TO DIVIDE THE CITY INTO DISTRICTS AND PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS BY AMENDING THE ZONING MAP TO PROVIDE A REGIONAL COMMERCIAL ZONING DISTRICT WHERE AN OFFICE SERVICE AND RA-1 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT PRESENTLY EXISTS.

The City of Midland Ordains:

Section 1. That the Zoning Map of Ordinance No. 1585, being the Zoning Ordinance of the City of Midland, is hereby amended as follows:

Parcel 4 (as shown on existing parcels layout map)

A PARCEL OF LAND IN THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHEAST FRACTIONAL  $\frac{1}{4}$  OF SECTION 2, TOWNSHIP 14 NORTH, RANGE 1 EAST, HOMER TOWNSHIP, MIDLAND COUNTY, MICHIGAN.

COMMENCING AT THE NORTHEAST CORNER OF SECTION 2; THENCE SOUTH 00D 09M 44S WEST, 1122.96 FEET ALONG THE EAST LINE OF SECTION 2 TO THE NORTH  $\frac{1}{8}$  LINE AS PREVIOUSLY SURVEYED AND MONUMENTED BY OTHERS AND POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST SECTION LINE SOUTH 00D 09M 44S WEST, 427.12 FEET; THENCE SOUTH 89D 52M 19S WEST, 304.46 FEET; THENCE NORTH 00D 09M 44S EAST, 184.38 FEET PARALLEL WITH THE EAST LINE OF SECTION 2; THENCE SOUTH 89D 52M 19S WEST, 141.95 FEET; THENCE NORTH 00D 09M 44S EAST, 92.35 FEET PARALLEL WITH THE EAST LINE OF SECTION 2; THENCE SOUTH 89D 52M 19S WEST, 133.82 FEET; THENCE NORTH 00D 09M 44S EAST, 150.38 PARALLEL WITH THE EAST LINE OF SECTION 2 TO THE NORTH  $\frac{1}{8}$  LINE AS PREVIOUSLY SURVEYED AND MONUMENTED BY OTHERS; THENCE ALONG SAID  $\frac{1}{8}$  LINE NORTH 89D 52M 19S EAST, 580.23 FEET TO THE POINT OF BEGINNING. CONTAINING 4.23 ACRES OF LAND MORE OR LESS AND SUBJECT TO THE EASTERLY 33 FEET THEREOF USED FOR ROAD PURPOSES.

Parcel 7 (as shown on existing parcels layout map)

A PARCEL OF LAND IN THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHEAST FRACTIONAL  $\frac{1}{4}$  OF SECTION 2, TOWNSHIP 14 NORTH, RANGE 1 EAST, HOMER TOWNSHIP, MIDLAND COUNTY, MICHIGAN.

COMMENCING AT THE NORTHEAST CORNER OF SECTION 2; THENCE SOUTH 00D 09M 44S WEST, 1122.96 FEET ALONG THE EAST LINE OF SECTION 2 TO THE NORTH  $\frac{1}{8}$  LINE AS PREVIOUSLY SURVEYED AND MONUMENTED BY OTHERS; THENCE CONTINUING ALONG SAID  $\frac{1}{8}$  LINE SOUTH 89D 52M 19S WEST, 580.23 FEET; THENCE SOUTH 00D 09M 44S WEST, 150.38 FEET PARALLEL WITH THE EAST LINE OF SECTION 2 TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00D 09M 44S WEST, 92.35 FEET PARALLEL WITH THE EAST LINE OF SECTION 2; THENCE NORTH 89D 52M 19S EAST, 133.82 FEET; THENCE NORTH

UNAPPROVED

00D 09M 44S EAST, 92.35 FEET PARALLEL WITH THE EAST LINE OF SECTION 2;  
THENCE SOUTH 89D 52M 19S WEST, 133.82 FEET TO THE POINT OF BEGINNING,  
CONTAINING 0.28 ACRES OF LAND MORE OR LESS.

Be, and the same is hereby changed to Regional Commercial.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. This Ordinance shall take effect upon publication. (Motion ADOPTED. Considered first reading.)

Being no further business the meeting adjourned at 8:00 p.m.

---

Selina Tisdale, City Clerk



Attached documents for item Recognition of Patrol Sergeant Dan Keeler as the 2015 Carl and Esther Gerstacker Police Officer of the Year. BLOCK

**SUMMARY REPORT TO MANAGER**  
For City Council Meeting of November 23, 2015

**SUBJECT:** Recognition of Patrol Sergeant Dan Keeler as the 2015 Carl and Esther Gerstacker Police Officer of the Year

**INITIATED BY:** Police Department

**SUMMARY:** Midland Police Department Patrol Sergeant Dan Keeler is being recognized by the City Council for being selected by the Midland Exchange Club as their 2015 Carl and Esther Gerstacker Police Officer of the Year recipient.

**ITEMS ATTACHED:**

1. Letter of Transmittal
2. Copy of the Certificate of Recognition
3. Resolution

**COUNCIL ACTION:**

1. Reading of the Certificate of Recognition
2. Presentation of the Certificate to Dan Keeler
3. 3/5 Vote Required to Approve Resolution

Clifford A. Block  
Police Chief  
November 17, 2015

# Midland

City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • [www.midland-mi.org](http://www.midland-mi.org)

November 17, 2015

Mr. Jon Lynch, City Manager  
City of Midland

Dear Mr. Lynch:

On October 13, 2015 Patrol Sergeant Dan Keeler was presented the 2015 Carl and Esther Gerstacker Police Officer of the Year Award by the Exchange Club of Midland. This award is presented each year to one City of Midland Police Officer, and one member of the Midland County Sheriff's Office.

Sergeant Keeler was chosen to receive this award due to his professionalism and service to his country and the community. Sergeant Keeler began his commitment to service upon his enlistment in the United States Army in 1996, followed by his enlistment in the Michigan National Guard as a Military Police Officer in 2000. In 2004, after completing his service as a Military Police Officer, he attended the 75<sup>th</sup> Delta Police Academy. In January 2005, after graduating from the Academy, he joined the Saginaw County Sheriff's Office followed by his appointment to the Midland Police Department in August 2005. Sergeant Keeler has been very involved in and busy within the department over the past 3 years as he has taken on several roles and responsibilities. In 2012 he became a Special Operations Officer, Field Training Officer, and a member of our newly formed Honor Guard. In 2013 he took on a new challenge upon his appointment as the Community Relations Officer, which brought upon many new challenges and responsibilities. This same year he became a D.A.R.E. Officer and a Car Seat Installation Technician. In 2014, while still assigned the demanding role as the Community Relations Officer, he became a Firearms Instructor, Glock Armorer, Patrol Rifle Instructor and a Below 100 Instructor. In 2015 he was promoted to the position of Patrol Sergeant.

Sergeant Keeler has clearly demonstrated his dedication and drive to meet and exceed the demands that were placed upon him as the Community Relations Officer and the many other roles he has fulfilled over the past few years. I often receive high levels of praise from community members regarding his efforts, programs, and professionalism.

I feel Sergeant Keeler is clearly deserving of the Police Officer of the Year Award, due to his professionalism and commitment to his chosen career, our community and our country, and I request the City Council recognize his award.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Clifford A. Block".

Clifford A. Block  
Police Chief



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### IN RECOGNITION

*WHEREAS, each year the Exchange Club of Midland, Michigan is proud to present the Carl and Esther Gerstacker Police Officer of the Year Award to police officers judged as outstanding, not only in the line of duty, but also in their commitment to the community; and*

*WHEREAS, Patrol Sergeant Dan Keeler has been selected as the 2015 Police Officer of the Year; and*

*WHEREAS, Dan joined the Midland Police Department as a Patrol Officer on August 29, 2005; and*

*WHEREAS, Dan was born at Offutt AFB Nebraska and as part of a Military Family traveled the world, ultimately graduating from Tascosa High School in Amarillo, Texas after which he attended Delta College and Saginaw Valley State University graduating with Associate Degrees in Foreign and General Studies; and*

*WHEREAS, Dan began his commitment to service in 1996 with his enlistment in the United States Army followed by his enlistment in the Michigan National Guard as a Military Police Officer from 2000-2004; and*

*WHEREAS, Dan attended the Delta College 75<sup>th</sup> Police Academy graduating in 2004 and in January 2005 joined the Saginaw County Sheriff's Office prior to joining the Midland Police Department in August 2005; and*

*WHEREAS, Dan is recognized for his 19 years for service to country and community with professionalism and honor; and*

*WHEREAS, Dan has established himself as a committed member of the Midland Police Department with a strong work ethic and has recently held positions of Special Operations Officer, Field Training Officer, Community Relations Officer, D.A.R.E. Officer; and*

*WHEREAS, Dan was promoted from Patrol Officer to Patrol Sergeant in August 2015 and beyond his supervisor responsibilities, he is a member of the Midland Police Department Honor Guard, a Firearms Instructor, Patrol Rifle Instructor, Glock Armorer and a Below 100 Instructor; now therefore*

*RESOLVED, that the City of Midland proudly recognizes Patrol Sergeant Dan Keeler for being the 2015 recipient of the Carl and Esther Gerstacker Police Officer of the Year Award and congratulates him on achieving excellence in public safety for the citizens of Midland.*

*IN WITNESS WHEREOF, I have hereunto  
set my hand this 23rd day of November, 2015.*

---

*Maureen Donker, Mayor*



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BY COUNCILMAN

RESOLVED, that Midland Police Department Patrol Sergeant Dan Keeler is hereby recognized for being selected by the Midland Exchange Club as the 2015 Carl and Esther Gerstacker Police Officer of the Year recipient.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held on Monday, November 23, 2015.

---

Selina Tisdale, City Clerk

Attached documents for item Recognition of Firefighter Tyler Alden as the 2015 Carl and Esther Gerstacker Firefighter of the Year. COUGHLIN

**SUMMARY REPORT TO MANAGER**  
For City Council Meeting of November 23, 2015

**SUBJECT:** Recognition of Firefighter Tyler Alden as the 2015 Carl and Esther Gerstacker Firefighter of the Year

**INITIATED BY:** Fire Department

**SUMMARY:** Midland Fire Department Firefighter Tyler Alden is being recognized by the City Council for being selected by the Midland Exchange Club as their 2015 Carl and Esther Gerstacker Firefighter of the Year recipient.

**ITEMS ATTACHED:**

1. Letter of Transmittal
2. Copy of the Certificate of Recognition
3. Resolution

**COUNCIL ACTION:**

1. Reading of the Certificate of Recognition
2. Presentation of the Certificate to Firefighter Tyler Alden
3. 3/5 Vote Required to Approve Resolution

Chris A. Coughlin  
Fire Chief  
November 18, 2015





# Midland

*City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax*

November 18, 2015

Jon Lynch, City Manager  
City of Midland

Dear Mr. Lynch:

On October 13, 2015, Firefighter Tyler Alden was presented the 2015 Midland Exchange Club's Carl and Esther Gerstacker Firefighter of the Year Award. This award is presented each year to one City of Midland firefighter and a firefighter from one of the township fire departments in Midland County.

Tyler was chosen for this award because of his pursuit in excellence in his field and for garnering the respect and admiration of his colleagues.

Tyler is a respected member of the Midland Fire Department whose involvement with the fire department includes demonstrating outstanding teaching abilities in fire safety education to Midland schools. He is also a member of the Hazmat Response Team and the Region 3 Regional Response Team, and has been involved in hazmat instruction to the Midland fire department. Tyler continues to perform above and beyond what is required or asked of him.

Tyler has been active in the Midland community as a mentor and leader. He is married to his wife, Emily, and they are loving parents to two children.

The Fire Department is pleased that the Midland Exchange Club has selected Firefighter Tyler Alden as the 2015 Carl and Esther Gerstacker Firefighter of the Year. I request the Midland City Council approve this resolution recognizing his award.

Respectfully Submitted,

Chris A. Coughlin  
Fire Chief



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax

### *IN RECOGNITION*

*WHEREAS, each year the Exchange Club of Midland, Michigan, is proud to present the Carl and Esther Gerstacker Firefighter of the Year Award to firefighters judged as outstanding, not only in their line of duty, but also in the community; and*

*WHEREAS, Firefighter Tyler Alden has been selected as the 2015 Firefighter of the Year; and*

*WHEREAS, Tyler has served the Midland Fire Department, pursuing excellence in his field and garnering the respect and admiration of his colleagues; and*

*WHEREAS, Tyler has demonstrated outstanding teaching abilities, delivering fire safety education to Midland schools and hazmat instruction to the Midland fire department while consistently performing above and beyond what is required or asked of him; and*

*WHEREAS, Tyler has been active in the Midland community as a mentor and leader; and*

*WHEREAS, Tyler is esteemed by his colleagues and has achieved “Acting Fire Truck Operator” and “Regional Response Team” member in only four years’ time; now therefore*

*RESOLVED, that the City of Midland proudly recognizes Firefighter Tyler Alden for being the 2015 recipient of the Exchange Club’s Carl and Esther Gerstacker Firefighter of the Year Award and congratulates him on achieving excellence in fire safety and service to the citizens of Midland.*

*IN WITNESS WHEREOF, I have hereunto  
set my hand this 23rd day of November, 2015.*

---

*Maureen Donker, Mayor*



*City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax*

BY COUNCILMAN

RESOLVED, that Midland Fire Department Firefighter Tyler Alden is hereby recognized for being selected by the Midland Exchange Club as their 2015 Carl and Esther Gerstacker Firefighter of the Year recipient.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a     yea vote of all the Councilmen present at a regular meeting of the City Council held on Monday, November 23, 2015.

---

Selina Tisdale, City Clerk

Attached documents for item Recognition of Fire Marshal Joshua Mosher as the 2015 Michigan Fire Inspectors Society Fire Inspector of the Year. COUGHLIN

**SUMMARY REPORT TO MANAGER**  
For City Council Meeting of November 23, 2015

**SUBJECT:** Recognition of Fire Marshal Joshua Mosher as the 2015 Michigan Fire Inspectors Society Fire Inspector of the Year

**INITIATED BY:** Fire Department

**SUMMARY:** Midland Fire Department Fire Marshal Joshua Mosher is being recognized by the City Council for being selected by the Michigan Fire Inspectors Society as their 2015 Fire Marshal of the Year recipient.

**ITEMS ATTACHED:**

1. Letter of Transmittal
2. Copy of the Certificate of Recognition
3. Resolution

**COUNCIL ACTION:**

1. Reading of the Certificate of Recognition
2. Presentation of the Certificate to Fire Marshal Joshua Mosher
3. 3/5 Vote Required to Approve Resolution

Chris A. Coughlin  
Fire Chief  
November 18, 2015



*City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax*

November 18, 2015

Jon Lynch, City Manager  
City of Midland

Dear Mr. Lynch:

On September 17, 2015, Fire Marshal Joshua Mosher was presented the 2015 Michigan Fire Inspectors Society Fire Inspector of the Year Award. This award is presented each year to one member who has represented the qualities of a fire inspector and has aided the organization.

Joshua was chosen for this award because of his guiding force in implementing Midland Fire Department's new fire prevention division Subject Matter Expert (SME). Selected SMEs have been trained in fire prevention program delivery, taking programs to schools and senior citizens. He has also implemented our Acting Fire Inspector program. Certified personnel are now allowed to work off shift as inspectors, reducing the inspection backlog. Joshua also leads our Firehouse software committee and assisted with training the department in implementing the "I Am Responding" call back system and our new county 800 mhz. radio system.

Joshua has been working with the Michigan Association of Fire Chiefs Fire and Life Safety Section, writing position papers on sky lanterns and arc fault circuit interrupters. He works as a director for the Northern Michigan Fire Chiefs and has helped organize two conferences. He is active in the Great Lakes Bay Area Chiefs, organizing a very successful legislative luncheon meeting. Joshua has been involved in the Midland Fire Department "Pink Shirts" campaign raising money for cancer research, as well as the "safe communities" initiative in the city.

Joshua is an individual who has done many things for the fire service and fire prevention in such a short time. He has had a tremendous impact on the City of Midland and has positively influenced the organizations he is involved with.

The Fire Department is pleased that the Michigan Fire Inspectors Society has selected Fire Marshal Joshua Mosher as the 2015 Michigan Fire Inspectors Society Fire Inspector of the Year. I request the Midland City Council approve this resolution recognizing his award.

Respectfully Submitted,

Chris A. Coughlin  
Fire Chief



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax

### *IN RECOGNITION*

*WHEREAS, each year the Michigan Fire Inspectors Society is proud to present the Fire Inspector of the Year Award to a fire inspector who has represented the qualities of a fire inspector and has aided the organization; and*

*WHEREAS, Fire Marshal Joshua Mosher has been selected as the 2015 Fire Inspector of the Year; and*

*WHEREAS, Joshua has served the Midland Fire Department as Fire Marshal since August of 2012, and has been a guiding force in implementing Midland Fire Department's new fire prevention division Subject Matter Expert (SME) and Acting Fire Inspector program; and*

*WHEREAS, Joshua leads our Firehouse Software committee and assisted with training the department in implementing the "I Am Responding" call back system and our new county 800 mhz. radio system; and*

*WHEREAS, Joshua has been working with the Michigan Association of Fire Chiefs Fire and Life Safety Section, writing position papers on sky lanterns and arc fault circuit interrupters; and*

*WHEREAS, Joshua works as a director for the Northern Michigan Fire Chiefs; he is active in the Great Lakes Bay Area Chiefs; he is involved in the Midland Fire Department "pink shirts" campaign raising money for cancer research as well as the "safe communities" initiative in the city; now therefore*

*RESOLVED, that the City of Midland proudly recognizes Fire Marshal Joshua Mosher for being the 2015 recipient of the Michigan Fire Inspectors Society Fire Inspector of the Year Award and congratulates him on achieving excellence in fire safety and service to the citizens of Midland.*

*IN WITNESS WHEREOF, I have hereunto  
set my hand this 23rd day of November, 2015.*

---

*Maureen Donker, Mayor*



# Midland

*City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax*

## BY COUNCILMAN

RESOLVED, that Midland Fire Department Fire Marshal Joshua Mosher is hereby recognized for being selected by the Michigan Fire Inspectors Society as their 2015 Fire Marshal of the Year recipient.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held on Monday, November 23, 2015.

---

Selina Tisdale, City Clerk



Attached documents for item Amendment to the 2015-16 General Fund budget to increase revenues and expenditures by \$14,000 for installation of trail signage at the City Forest (also see material sent in the November 9 agenda packet). MURPHY

SUMMARY REPORT TO MANAGER

**For City Council Meeting of November 23, 2015**

**SUBJECT:** Amend the FY 2015-16 General Fund budget for the Midland Area Community Foundation's T.O.W.N. grant award for the installation of trail signage at the City Forest.

**INITIATED BY:** Department of Public Services

**RESOLUTION SUMMARY:** This resolution amends the FY 2015-16 General Fund budget to increase both revenues and expenditures by \$14,000 for installation of trail signage at the City Forest.

**ITEMS ATTACHED:**

1. Letter of Transmittal
2. Resolution

**CITY COUNCIL ACTION:**

1. 3/5 vote required to approve resolution

---

Karen Murphy  
Director of Public Services



November 16, 2015

Jon Lynch  
City Manager  
Midland, MI

RE: Amend the FY 2015-16 General Fund budget for the Midland Area Community Foundation's T.O.W.N. grant award for the installation of trail signage at the City Forest

The Midland Area Community Foundation (MACF) approached the City a few months back about possible projects for their new T.O.W.N. (Treasure Our Wonderful Neighborhoods) grant program. The grant offered up to \$25,000 for a community improvement project with equal matching dollars provided by the City. The City offered three potential projects, one of which was the installation of a network of trail signs at the City Forest to help park users better navigate the trail system.

MACF asked the public to choose their favorite City project by voting via their Facebook page, and the City Forest trail signage project won the popular vote. The proposed project cost is \$28,000 with the City covering half of the cost using project funds available in the Parks Operating budget.

The City has received the funds from MACF. In order to move forward with the project, the General Fund budget must be amended to recognize the incoming revenue and to allocate the appropriate expenses. City Council set a public hearing for November 23 to consider the proposed budget amendment. The attached resolution amends the FY 2015-16 General Fund budget accordingly to recognize \$14,000 in grant funds for the project.

Respectfully Submitted,

---

Karen Murphy  
Director of Public Services



Parks & Recreation ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640-2321 ♦ 989.837.6930 ♦ 989.835.5651 -Fax ♦ [www.cityofmidlandmi.gov](http://www.cityofmidlandmi.gov)

BY COUNCILMAN

WHEREAS, the City has been awarded a grant of \$14,000 from the Midland Area Community Foundation's T.O.W.N. grant program for the installation of trail signage at the City Forest; and

WHEREAS, the FY 2015-16 General Fund budget does not currently include this funding, nor the related expenditures, and in order to spend this grant for the purpose intended, it is necessary to amend the FY 2015-16 General Fund budget; and

WHEREAS, the City will match the grant with \$14,000 of project funds available in the Parks Operating budget; and

WHEREAS, in accord with Sections 5.11, 11.4 and 11.6 of the Charter of the City of Midland, and after having given proper legal notice, and having conducted a public hearing on Monday, November 23, 2015, on the proposal to amend the FY 2015-16 General Fund budget to recognize the unanticipated revenue, as well as increase expenditures by the same amount to fund the costs associated with this project; now therefore

RESOLVED, that the FY 2015-16 General Fund budget is hereby amended to increase revenues and expenditures by \$14,000 to recognize a generous grant from the Midland Area Community Foundation to be used for installation of trail signage at the City Forest.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 23, 2015.

---

Selina Tisdale, City Clerk

11-9-15  
a. Accepted grant  
b. Set p# for 11-23-15

(5)

## SUMMARY REPORT TO MANAGER

**For City Council Meeting of November 9, 2015**

**SUBJECT:** Accepting a grant from the Midland Area Community Foundation, and setting a public hearing to amend the FY 2015-16 General Fund budget for installation of trail signage at the City Forest.

**INITIATED BY:** Department of Public Services

**RESOLUTION SUMMARY:**

- a. Accept a grant of \$14,000 from the Midland Area Community Foundation and
- b. Set a public hearing for November 23, 2015 at 7:00 p.m. in City Council Chambers on a proposal to amend the FY 2015-16 General Fund budget to increase revenues and expenditures by \$14,000 for installation of trail signage at the City Forest.

### ITEMS ATTACHED:

1. Letter of Transmittal
2. Letter from Midland Area Community Foundation
3. Resolutions

### CITY COUNCIL ACTION:

1. 3/5 vote required to approve resolution

  
Karen Murphy  
Director of Public Services



Parks & Recreation ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640-2321 ♦ 989.837.6930 ♦ 989.835.5651 -Fax ♦ [www.cityofmidlandmi.gov](http://www.cityofmidlandmi.gov)

November 5, 2015

Jon Lynch  
City Manager  
Midland, MI

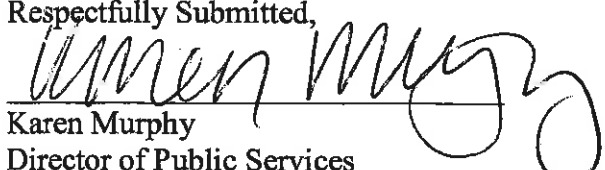
RE: Accepting a grant from the Midland Area Community Foundation, and setting a public hearing to amend the FY 2015-16 General Fund budget for installation of trail signage at the City Forest.

The Midland Area Community Foundation (MACF) approached the City a few months back about possible projects for their new T.O.W.N. (Treasure Our Wonderful Neighborhoods) grant program. The grant offered up to \$25,000 for a community improvement project with equal matching dollars provided by the City. The City offered three potential projects, one of which was the installation of a network of trail signs at the City Forest to help park users better navigate the vast trail system. This project would complement the previously installed trailhead signs that provide park users an overview map of the entire trail network before they venture out into the trails.

MACF asked the public to choose their favorite City project by voting via their Facebook page, and the City Forest trail signage project won the popular vote. The proposed project cost is \$28,000 with the City covering half of the cost using project funds available in the Parks Operating budget. The Parks and Recreation Commission voted unanimously at their November 4 meeting to recommend to City Council that they accept this generous grant in the amount of \$14,000.

To date, the City has received written confirmation of the grant award from MACF (letter attached for your review). In order to move forward with the project, the General Fund budget must be amended to recognize the incoming revenue and to allocate the appropriate expenses. Amending a budget requires a public hearing and Council involvement at two separate meetings: the first meeting to set the date for a public hearing, and the second to hold the public hearing. In addition to formally accepting this very generous grant from the Midland Area Community Foundation's T.O.W.N. grant program, the attached resolutions for City Council's consideration would schedule November 23 as the date for holding the public hearing on the budget amendment.

Respectfully Submitted,

  
Karen Murphy  
Director of Public Services



November 2, 2015

Karen Murphy  
City of Midland  
333 W. Ellsworth Street  
Midland, MI 48640

Dear Ms. Murphy: *Karen*

Enclosed please find a check in the amount of \$14,000.00. This check represents a grant from the Midland Area Community Foundation Unrestricted Endowment Fund at the Midland Area Community Foundation.

This grant is to be used toward the City Forest trail signage project. Any monies not used for this purpose need to be returned to the Midland Area Community Foundation.

Additionally, please note that in compliance with Executive Order 13224 and U.S.A. Patriot Act, grants may not be used to support named terrorist organizations or those who may be otherwise associated with terrorists. The Midland Area Community Foundation acknowledges that "support" does not include non-violent activities intended to protect or promote constitutional rights.

By endorsing and depositing this check, you warrant that there has been no change in your U.S. tax classification as an organization described in Internal Revenue Service Code Sections 501(c)(3) and 509(a)(1), (2) or (3).

If you have any further questions, please do not hesitate to contact me. I will be happy to be of assistance.

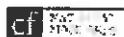
Sincerely,

*Sharon Mortensen*  
Sharon Mortensen  
President and CEO

Enclosure

26 Ashman Circle Midland, MI 48640 PHONE: 989.559.9061 FAX: 989.430.9907  
EMAIL: info@midlandfoundation.org WEB: midlandfoundation.org

**For good. For ever.®**



Midland Area Community Foundation is a 501(c)(3) non-profit organization.



Parks & Recreation ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640-2321 ♦ 989.837.6930 ♦ 989.835.5651 -Fax ♦ [www.cityofmidlandmi.gov](http://www.cityofmidlandmi.gov)

**BY COUNCILMAN**

WHEREAS, the City has been awarded a grant of \$14,000 from the Midland Area Community Foundation's T.O.W.N. grant program for the installation of trail signage at the City Forest; and

WHEREAS, the project involves installing trail network signs throughout the trail system to help park users better navigate the City Forest; and

WHEREAS, the City will match the grant with \$14,000 of project funds available in the Parks Operating budget; now therefore

RESOLVED, that the City Council graciously accepts this generous grant of \$14,000 from the Midland Area Community Foundation.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 9, 2015.

---

Selina Tisdale, City Clerk





Parks & Recreation ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640-2321 ♦ 989.837.6930 ♦ 989.835.5651 -Fax ♦ [www.cityofmidlandmi.gov](http://www.cityofmidlandmi.gov)

BY COUNCILMAN

WHEREAS, the City has been awarded a grant from the Midland Area Community Foundation for \$14,000 for the installation of trail signage at the City Forest; and

WHEREAS, the FY 2015-16 General Fund budget does not currently include adequate revenues or expenditures related to this project, and in order to spend these grants for the purpose intended, it is necessary to amend the FY 2015-16 General Fund budget; now therefore

RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted at 7:00 p.m., November 23, 2015 in the Council Chambers of City Hall on the proposal to amend the FY 2015-16 General Fund budget to increase revenues and expenditures to recognize a grant in the amount of \$14,000 from the Midland Area Community Foundation for the installation of trail signage at the City Forest; and

RESOLVED FURTHER, that the City Clerk is hereby directed to give notice as provided in Section 5.11 of the Charter of the City of Midland.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 9, 2015.

---

Selina Tisdale, City Clerk

Attached documents for item Receiving and filing the 2016-17 Budget Preparation Schedule.  
KEENAN

**SUMMARY REPORT TO MANAGER**  
For City Council Meeting of November 23, 2015

**SUBJECT:** 2016-17 Budget Preparation Schedule

**INITIATED BY:** David A. Keenan, Assistant City Manager

**RESOLUTION SUMMARY:**

Resolution receives and files budget preparation schedule for 2016-17 fiscal year, directs the City Manager to set the necessary special meetings and public hearings of the City Council for budget review and public input, and directs the City Clerk to give proper notice as provided by Section 5.11 of the Charter of the City of Midland.

**ITEMS ATTACHED:**

1. Letter of transmittal
2. Budget Preparation Schedule
3. Resolution

**CITY COUNCIL ACTION:**

3/5 affirmative vote required for adoption



David A. Keenan, Assistant City Manager



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TO: Jon Lynch, City Manager

FM: David A. Keenan, Assistant City Manager

A handwritten signature in black ink, appearing to be "DK", written over the name "David A. Keenan".

DT: November 18, 2015

RE: 2016-17 Budget Preparation Schedule

Attached to this memo is a proposed schedule for preparing the City budget for the fiscal year beginning July 1, 2016 and ending June 30, 2017. I have placed the proposed budget preparation schedule on the November 23, 2015 Council agenda to afford an opportunity to coordinate these dates with Council calendars, and to provide the public with this information prior to the start of the budget process. Dates requiring City Council involvement were selected with the goal of minimizing the number of special meetings during the budget process.

Also attached is a Council resolution which would receive and file the budget schedule and direct the City Manager to set the necessary special meetings of the City Council for budget review and public input.

Included in the schedule are the following dates requiring Council involvement:

- **January 16, 2016 (Special meeting): City Council goal setting session.** To develop Council's goals for the 2016-17 year, this will be used as a basis for setting organizational and departmental goals for the 2016-17 year.
- **January 25, 2016 (Regular meeting):**
  - **Engineering priorities.** To develop Council's approved list of engineering priorities for street, water, sewer, and other capital projects scheduled for funding in 2016-17, along with preliminary projections for fiscal years 2017-18 and 2018-19.
  - **Council adoption of budget goals and objectives.** This will give City Council an opportunity to adopt or amend at a regular meeting the goals previously set at the January 16, 2016 special meeting.

Jon Lynch  
November 18, 2015  
Page 2

- **April 11, 2016 (Regular meeting): City Manager's proposed budget presented to Council.** Section 11.2 of the City Charter requires submittal of the City Manager's proposed budget by the second Monday in April. Staff will present budget highlights. Copies of the City Manager's proposed budget will be available for public examination beginning the day after this meeting.
- **April 18, 2016 (Special meeting): Council budget work session.** To engage in a more detailed discussion and review of the 2016-17 budgets.
- **April 25, 2016 (Regular meeting): Preliminary public hearing.** To provide an additional opportunity for public input during the Council's review of the proposed budget.
- **May 9, 2016 (Regular meeting): Public hearing on budget required by City Charter.** Charter Section 11.4 requires a public hearing on the budget prior to its final adoption, with publication of notice of such public hearing at least one week in advance.
- **May 23, 2016 (Regular meeting): Adoption of budget by City Council.** Charter Section 11.5 requires that the budget shall be adopted and the property tax millage rate set no later than the fourth Monday in May.

**CITY OF MIDLAND**  
***Proposed 2016-2017 Budget Preparation Schedule***

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<b>November 23</b>	Council discussion and approval of budget preparation schedule
<b>January 16</b>	City Council Goal Setting Session
<b>January 25</b>	City Council to adopt goals from January 16th meeting
<b>January 25</b>	Engineering Priorities Meeting
<b>March 7 - 11</b>	Board of Review
<b>March 14 - 18</b>	Board of Review study and determinations; Final taxable value
<b>March 25 - April 1</b>	Midland Public Schools Spring Break
<b>April 11</b>	City Manager's Proposed Budget presented to City Council
<b>April 18</b>	Budget Work Session with City Council (All Funds)
<b>April 25</b>	Preliminary Public Hearing on Proposed Budget
<b>May 9</b>	Charter-mandated Public Hearing on Proposed Budget
<b>May 23</b>	Adoption of budget by City Council



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BY COUNCILMAN

RESOLVED, that the attached budget preparation schedule for the 2016-17 fiscal year is hereby received; and

RESOLVED FURTHER, that said budget preparation schedule shall be filed for public examination in the City Clerk's office and at the Grace A. Dow Memorial Library; and

RESOLVED FURTHER, that the City Manager shall set a special meeting of the City Council at a time yet to be determined in the Council Chambers of City Hall on Saturday, January 16, 2016, for the purpose of setting Council goals for the 2016-17 fiscal year; and

RESOLVED FURTHER, that the City Manager, at the regular meeting of the City Council at 7:00 p.m. in the Council Chambers of City Hall on Monday, January 25, 2016, shall adopt the goals for the 2016-17 fiscal year as established by City Council at the January 16, 2016 special meeting, and to review the proposed Engineering Priorities Listing and receive public input on the listing; and

RESOLVED FURTHER, that the City Manager shall set a special meeting of the City Council at 6:00 p.m. in the Council Chambers of City Hall on Monday, April 18, 2016, for the purpose of budget review; and

RESOLVED FURTHER, that a preliminary public hearing shall be conducted at the regular City Council meeting beginning at 7:00 p.m., Monday, April 25, 2016, in the Council Chambers of City Hall, on the proposed 2016-17 budget; and

RESOLVED FURTHER, that in accord with Section 11.4 of the Charter of the City of Midland, a public hearing shall be conducted at the regular City Council meeting on Monday, May 9, 2016, at 7:00 p.m., in the Council Chambers of City Hall on the proposed 2016-17 budget; and

RESOLVED FURTHER, that with respect to each meeting included herein the City Clerk shall give notice as provided by Section 5.11 of the Charter of the City of Midland.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all Councilmen present at a regular meeting of the City Council held Monday, November 23, 2015.

---

Selina Tisdale, City Clerk

Attached documents for item Notifying the Council of the filing of the 2015 Local Officers' Compensation Commission Determinations and scheduling a public hearing on the Determinations for the December 7, 2015 City Council meeting. TISDALE



**SUMMARY REPORT TO MANAGER**  
for City Council Meeting of 11/23/15

**SUBJECT:** 2015 Local Officers' Compensation Commission (LOCC)  
Determinations

**INITIATED BY:** Local Officers' Compensation Commission /  
Selina Tisdale, Community Affairs Director

**RESOLUTION SUMMARY:** This resolution notifies the Council of the filing of the 2015 Local Officers' Compensation Commission Determinations, acknowledges receipt of the same and directs the City Manager to place the 2015 LOCC Determinations on the December 7, 2015, City Council agenda for the purpose of hearing public comment.

**ITEMS**

**ATTACHED:**

1. Letter of Transmittal
2. Resolution from LOCC authorizing LOCC Chair Roy Green to file 2015 Determinations
3. 2015 Determinations and Findings of Fact
4. Resolution acknowledging receipt of Determinations

**COUNCIL ACTION:** 3/5 vote required to approve.

**Selina Tisdale – Community Affairs Director**  
**11/17/15**



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November 16, 2015

Jon Lynch, City Manager  
City of Midland, Michigan

Dear Mr. Lynch:

The State legislature adopted Public Act No. 8 of 1972 allowing local governments to adopt an ordinance that supersedes their charters by creating a Local Officers' Compensation Commission charged with the responsibility of reviewing and establishing compensation for the City Council every two years coincident with the election of each new City Council.

In compliance with P.A. 8, Article IX of Chapter 2 of the Code of Ordinances was adopted in 1974 creating the Local Officers' Compensation Commission (LOCC). The LOCC is comprised of seven members appointed by the City Council for staggered terms of seven years. The duties of the LOCC are specified in Section 2-211 of the Code of Ordinances, which reads as follows:

*The commission shall determine the salaries of the mayor and councilmen, which determination shall be the salaries unless the city council, by resolution adopted by two-thirds (2/3) of the members elected to and serving on the council, reject them. The determinations of the commission shall be effective thirty (30) days following their filing with the city clerk unless rejected by the city council. In case of rejection, the existing salary shall prevail. Any expense allowance or reimbursement paid to elected officials in addition to salary shall be for expenses incurred in the course of city business and accounted for to the city.*

In addition to the above, there are time restrictions stipulated in P.A. 8 and incorporated in Section 2-212 of the Code of Ordinances which read, in part, as follows:

*The commission shall meet for not more than fifteen (15) session days after September 15, in the year 1975, and every odd numbered year thereafter and shall make its determination within forty-five (45) calendar days of its first meeting...*

A summary interpretation of the above two sections is that the LOCC must meet in the odd numbered years, but cannot meet prior to September 15 of that year. From the time of its first meeting, it has 45 calendar days to finalize its determinations and file said determinations in the office of the City Clerk. Once filed, the City Council has 30 days from the filing date to reject the LOCC's findings by a 4/5 vote or else the determinations of the LOCC prevail upon expiration of the 30 days.

It is important to note that this process is not initiated by the City Council. It is a process required by State legislation and initiated locally by the appointed LOCC. It is the LOCC's obligation to conduct its meetings and file its determinations with the City Clerk. This is the rare occasion when the City Council does not take official action to cause something to be filed with the City Clerk. In this case it is the sole responsibility of the LOCC.

On November 16, 2015, the LOCC Chair Roy Green officially filed the 2015 Determinations of the LOCC, certifying the Determinations that the LOCC members made at the October 2, 2015, meeting.

The 2015 LOCC Determinations recommend that the compensation levels for each councilman remain unchanged at \$4,000.00 annually. The Determinations further recommend that the annual additional compensation level for the mayor remain unchanged, providing an additional \$2,200.00 annually for the role of mayor for a total annual mayoral compensation of \$6,200.00.

The LOCC completed the 2015 Determinations in one session, meeting on October 2, 2015. The LOCC needed to complete its work and file its Determinations by November 16, 2015 in order to meet the 45-day requirement of the Code. By its November 16, 2015, filing date, the LOCC has met its obligation.

Since the 2015 Determinations of the LOCC was officially filed in the City Clerk's Office on November 16, 2015, it is necessary to advise you and the public of the action taken by the LOCC and to provide you with a copy of its 2015 Determinations.

The attached resolution formally advises City Council and the public that the report is available and further directs the 2015 Determinations be filed at the Grace A. Dow Memorial Library.

Additionally, Council has 30 days from the November 16, 2015 filing date to either take no action or, by a 4/5 vote, reject the LOCC's 2015 Determinations.

The attached resolution directs the City Manager to place this item on the December 7, 2015, City Council agenda to provide you with an opportunity to reject the 2015 Determinations if you so choose. This also provides the public time to review the document and communicate with you prior to any action or inaction you choose to take within the 30-day time frame, which expires December 16, 2015.

Sincerely,



Selina Crosby Tisdale  
Community Affairs Director

BY COMMISSION MEMBER MILLER

WHEREAS, the Local Officers' Compensation Commission (LOCC), created under Article IX, Section 2-210 of the Code of Ordinances, is charged with the responsibility of determining the salaries of the mayor and members of the city council; and

WHEREAS, the LOCC held one session meeting on October 2, 2015, meeting its obligation to meet no more than fifteen (15) session days after September 15; and

WHEREAS, the LOCC has made its determination within the required forty-five (45) calendar days after its first meeting; and

WHEREAS, the LOCC's 2015 Determinations recommend that no change be made to the compensation levels for council members or mayor; and

WHEREAS, the LOCC's 2015 Determinations recommend that each councilman receive annually \$4,000.00 as compensation for service to the City; and

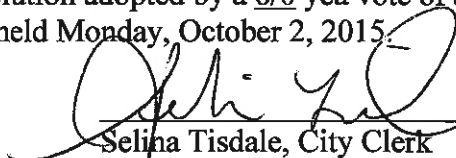
WHEREAS, the LOCC's 2015 Determinations also recommend that the mayor receive a total annual mayoral salary of \$6,200.00; and

WHEREAS, said Determinations shall be effective thirty days following the LOCC's November 16, 2015 filing of said Determinations with the Midland City Clerk unless rejected by Council on or before December 16, 2015; now therefore

RESOLVED, that the members of the 2015 Local Officers' Compensation Commission authorize Roy Green, Chair of the 2015 LOCC, to file the 2015 LOCC Determinations with the Midland City Clerk on or before November 16, 2015 for presentation to the Midland City Council on November 23, 2015.

YEAS: GREEN, KOK, MAYVILLE, MILLER, OSBURN, POLITO  
NAYS: NONE  
ABSENT: GEYER

I, Selina Tisdale, Midland City Clerk and Staff Liaison to the LOCC, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a 6/0 yeas vote of all the LOCC members present at a meeting of the LOCC held Monday, October 2, 2015.

  
Selina Tisdale, City Clerk  
Staff Liaison to the LOCC

**2015 DETERMINATIONS  
CITY OF MIDLAND  
LOCAL OFFICERS' COMPENSATION COMMISSION**

**COMPENSATION DETERMINATIONS FOR  
MEMBERS OF THE MIDLAND CITY COUNCIL**

**2015 LOCC MEMBERS:**

Roy Green, Chair  
Richard Osburn, Vice Chair  
Gerald Geyer  
Sarah Kok  
Greg Mayville  
Jason Miller  
A. Tucker Polito

**2015**  
**LOCAL OFFICERS' COMPENSATION COMMISSION**  
**FINDINGS OF FACT**

1. The Commission accepts the philosophy that the purpose of compensation here is not to enrich members of the Council at civic expense nor induce anyone to run for the Council for monetary motives, but to cover incidental, out of pocket costs of such service and to provide some reimbursement for time taken away from family and business.
2. While positions on the Midland City Council are not "in competition" with other positions in the public or private worlds in terms of salary, reasonable recognition of the importance of this job, although voluntarily assumed, must be a consideration.
3. Since the writing of the City Charter in 1944, the compensation for council members had remained at \$200 annually plus an additional \$100 for the Mayor until 1975.

		Councilmember	Mayor
1944		\$ 200.00	\$ 300.00
1975	a significant adjustment to what the Commission felt was an equitable level, was made.	\$1,200.00	\$1,500.00
1977	compensations for councilmen and the mayor were raised	\$1,350.00	\$1,650.00
1979	compensation levels were raised	\$1,500.00	\$1,900.00
1981	no change in compensation levels was made but a comprehensive expense reimbursement policy was detailed and ordered.	\$1,500.00	\$1,900.00
1983	the compensation level was changed to \$1,800 for councilmen and the mayor received an additional \$600	\$1,800.00	\$2,400.00
1985	No compensation change was made	\$1,800.00	\$2,400.00
1987	council compensations were increased to \$2,000 with the mayor receiving an additional \$1,000	\$2,000.00	\$3,000.00
1989	No change was made for council in 1989 but the additional amount the mayor received was increased to \$3,500.	\$2,000.00	\$3,500.00

		Councilmember	Mayor
1991	Council members received an increase to \$2,400 and the mayor's compensation was changed to \$4,000.	\$2,400.00	\$4,000.00
1993	No change in compensation levels was made in 1993, however the travel policy was changed - mileage reimbursement is now the prevailing IRS rate and all expense forms are to be submitted within fourteen (14) calendar days after the return of the council member.	\$2,400.00	\$4,000.00
1995	In 1995 each councilman was given a compensation increase. Each member received \$2,700 per year and the mayor received \$4,300 per year.	\$2,700.00	\$4,300.00
1997	No change in compensation level was made in 1997.	\$2,700.00	\$4,300.00
1999	In 1999 council members received an increase to \$3,300 and the mayor's compensation was changed to \$4,900.	\$3,300.00	\$4,900.00
2001	Council members received an increase to \$3,600 and the mayor's compensation increased to \$5,400.	\$3,600.00	\$5,400.00
2003	In 2003 the LOCC recommended a \$200 increase to the annual council compensation adjusting it to \$3,800 annually and also recommended that the mayor's annual salary be increased by \$200 bringing the mayor's total annual compensation to \$5,600. This was presented to Midland City Council on November 24, 2003. City Council rejected this compensation increase at its second public hearing on December 8, 2003.	<del>\$3,800.00</del> (increase rejected) \$3,600.00	<del>\$5,600.00</del> (increase rejected) \$5,400.00
2005	The 2005 LOCC Determinations recommended that Council compensation be increased to \$3,800 annually and that the mayor's compensation be increased to \$5,900.	\$3,800.00	\$5,900.00

		Councilmember	Mayor
2007	The 2007 LOCC Determinations recommended no change in compensation for either the council members or the mayor.	\$3,800.00	\$5,900.00
2009	The 2009 LOCC Determinations recommended no change in compensation for either the council members or the mayor.	\$3,800.00	\$5,900.00
2011	The 2011 LOCC Determinations recommended no change in compensation for either the council members or the mayor.	\$3,800.00	\$5,900.00
2013	The 2013 LOCC Determinations recommend that Council compensation be increased to \$4,000 annually and that the mayor's compensation be increased to \$6,200.	\$4,000.00	\$6,200.00
2015	The 2015 LOCC Determinations recommended no change in compensation for neither the council members nor the mayor.	\$4,000.00	\$6,200.00

4. The Commission agrees with previous findings that compensation levels do not attract or inhibit candidates to city council positions. Instead, the numbers of candidates for the City Council and the number of candidates attracted to other Midland area elected positions probably reflects differences in prestige, length of terms, degree of partisanship, public visibility, personal involvement, and incumbents' performance.
5. The median annual salary level of council members in a group of 32 representative cities was \$5,743.00 with salaries ranging from \$600 to \$15,993.
6. The median annual salary of mayors in a similar group of 32 representative cities was \$8,269.00 with salaries ranging from \$1,690 to \$19,754.
7. The Commission did not call for a survey of local board compensation or for comments from previous council members for 2015.
8. The Commission continues to reject the concept of a per-meeting payment amount.
9. The Commission rejects the concept of a direct linkage between the CPI and compensation.
10. The Commission has taken due note of comments it has received and appreciates those that shared their views.



11. The Commission is aware of the hours certain council members devote to their positions and commends the Council on their intergovernmental relations. The Commission also understands that the time devoted is highly variable and a choice of each individual member.
12. The Commission believes that extra responsibilities and obligations of the mayor warrant compensation greater than that of council members.
13. The Commission discussed extra compensation for mayor pro-tem on a monthly basis and came to the conclusion that no extra pay is warranted.
14. Upon resignation of the mayor, the Commission believes that the resigning mayor should receive the mayor's compensation for the last month served.
15. The Commission rejects the idea that the mayor pro-tem receives the mayor's pay for the time he/she acts as mayor on a short term basis.
16. The Commission rejects the idea of considering performance of Council when considering compensation. Quality of Council's work is the responsibility of the electorate.
17. At the request of city staff, the Commission considered the issue of adjusting the pay cycle of council members from monthly to bi-weekly to be congruent with the pay cycle of all other city employees. After discussion, the Commission found this request to be reasonable and recommends that council members be compensated on a bi-weekly schedule congruent with the issuance of city employee pay. (2011)
18. At the request of city staff, the Commission considered the issue of council compensation in the case of resignation. After discussion, the Commission recommended that compensation in the event of resignation of a council member be handled in the same manner as the mayor. In the event a council member was to resign, he/she would receive a full month's compensation for the last month served as a councilmember. (2011)
19. Having considered all relevant data, the Commission has exercised independent judgment, making the following determinations for which it alone is responsible.

***MAYOR AND COUNCIL TRAVEL EXPENSES***  
**A Policy Approved by the**  
**City of Midland Local Officers' Compensation Commission**  
**Adopted November, 1981 as amended 1983, 1985, 1989, 1991 & 1993**

1. Expense reimbursement by the City to the Mayor and Councilmen will be limited to travel outside the corporate limits in order to attend meetings, conferences, conventions and training sessions which will contribute to the ability of the City Council to more effectively deal with community issues. Reimbursement for certain inside-the-city meetings may also be permitted.
2. Travel expense payments must be in accord with amounts budgeted for this purpose.
3. The City's practice of both pre-payment of certain meeting expenses, and advances to the individual, may continue.
4. Within fourteen (14) calendar days after the return of the Council member, expenses for the out of town travel shall be itemized on a form provided by the City and submitted to the City Manager's Office. Receipts for the hotel bill, registration fee, transportation expense and any single expenditure of \$25 or more, or evidence thereof shall accompany the expense statement.

Prepaid items should be included in the expense report. If the Council member intends to travel out of state by private automobile, the allowance for the use of the vehicle will be the cost of air travel, coach or equivalent class, not including airport limousine costs, or automobile mileage at the rate specified, whichever is less.

The following are specific guidelines for travel reimbursement developed by the Commission for the Mayor and Council:

**REIMBURSABLE**

Mileage will be reimbursed at the prevailing IRS rate used per mile if personal car used for out of City trips to attend meeting.

Actual cost of room including tax and tips (single room rate if that rate established or proportionate share if shared with other city officers).

Actual cost of food and beverages consumed, taxes and tips paid, while on travel outside of the city.

Air fare for out of state meetings -- coach or equivalent class (invoice required).

Parking and tolls.

Bus, taxi or limousine, including tips.

Meeting registration fees and activity charges.

For in-the-city meetings, registration, food and beverages including taxes and tips paid, for meetings called by a non-city organization when the Council member is representing the City.

Expenses related to interviewing City Manager or City Attorney applicants.

**NOT REIMBURSABLE**

Any spouse's or family member expense

Child care (including babysitting), pet or house care.

Expenses reimbursed or which should be reimbursed by other organizations.

Pre or post, meeting excursions.

Personal grooming or clothing expenses

Insurance premiums, including travel and rental car insurance premiums.

Any amount in excess of reasonable and customary.

6. The expense reports shall be reviewed by the City Manager and Mayor (the Mayor Pro tem in cases of the Mayor's expense report). They may disallow all or part of certain expenses as not being in accord with this policy. Expense reports when approved shall have both their signatures.

## 2015 LOCAL OFFICERS' COMPENSATION COMMISSION DETERMINATIONS

1. Each councilman will receive as compensation for service to the City the sum of \$4,000.00 per year.
2. The mayor shall receive as compensation for service to the City the sum of \$6,200.00.
3. Such compensation to be paid in bi-weekly installments.
4. If a council member or the mayor were to resign, he/she would receive a full month's compensation for the last month served as council member / mayor.
5. Council members shall be included in the City's group travel insurance coverage, paid for by the City.
6. Meeting and travel expense reimbursement shall be governed by the attached policy in the Appendix to these Determinations.

### CERTIFICATION:

I, Roy C Green, 2015 Chair of the Local Officers' Compensation Commission of the City of Midland, have been authorized by the Commission to file on 11-16-2015 and certify that these are the 2015 Determinations of the Commission as duly adopted at a meeting held on October 2, 2015.

Roy C Green  
Roy C Green, Chair  
2015 Local Officers' Compensation Commission

Date of Filing 16 November 15

[Signature]  
(Witness)

I, Selina Tisdale in the Office of the Midland City Clerk, Counties of Midland and Bay in the State of Michigan, Do hereby Certify, that on November 16, 2015 the 2015 Determinations of the Local Officers' Compensation Commission were received and filed in the Office of the City Clerk.

16 day of November, 2015

[Signature]  
(Name of Clerk's Employee Receiving Document)



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**BY COUNCILMAN**

WHEREAS, in accord with Article IX of Chapter 2 of the Code of Ordinances, the Local Officers' Compensation Commission has duly met and approved its 2015 Local Officers' Compensation Commission Determinations; and

WHEREAS, said determinations were officially filed by the Chairman of the Local Officers' Compensation Commission in the Office of the City Clerk, 333 W. Ellsworth Street, Midland, Michigan on November 16, 2015; and

WHEREAS, in accord with Article IX of Chapter 2 of the Code of Ordinances, the determinations made by the Local Officers' Compensation Commission shall become effective on December 16, 2015 unless said determinations are rejected by a 4/5 vote of the City Council; now therefore

RESOLVED, that the City Clerk's notification of the filing of 2015 Determinations of the Local Officers' Compensation Commission of the City of Midland on November 16, 2015 is hereby acknowledged by the City Council as having been received; and

RESOLVED FURTHER, that the City Council hereby directs that an additional copy of the 2015 Determinations of the Local Officers' Compensation Commission be filed in the Governmental Center of the Grace A. Dow Memorial Library for public review; and

RESOLVED FURTHER, that the City Manager is hereby directed to place this item on the December 7, 2015 City Council agenda for the purpose of hearing any public comments prior to any action taken by the City Council.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a       yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 23, 2015.

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Selina Tisdale, City Clerk

LOCC\Determinations res

Attached documents for item \* Making Traffic Control Order R-15-04 Permanent - that the speed limit on S. Saginaw Road from Mark Putnam Road to 275 feet south of Discovery Way shall be 45 mph. MCMANUS

## SUMMARY REPORT TO MANAGER

For City Council Meeting of November 23, 2015

**SUBJECT:** Traffic Control Order R-15-04

**INITIATED BY:** Engineering Department

### **RESOLUTION SUMMARY:**

TCO R-15-04 - This resolution establishes that the speed limit on S. Saginaw Road from Mark Putnam Road to 275 feet south of Discovery Way shall be 45 mph.

### **ITEMS ATTACHED:**

1. Letter of Transmittal
2. Resolution
3. Location Map

### **CITY COUNCIL ACTION:**

3/5 vote required to approve resolution

**SUBMITTED BY:** Brian McManus, City Engineer



# Midland

*City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax*

TO: Jon Lynch, City Manager

FROM: Brian McManus, City Engineer

DATE: November 18, 2015

SUBJECT: Traffic Control Order R-15-04

In June of 2015, a citizen requested that the speed limit on Saginaw Road be increased from 35 mph to 45 mph south of Bay City Road. Traffic counts and actual traveling speeds were taken in August of 2015. Our traffic engineer reviewed the information and determined that the transition to 35 mph be moved further north to near Discovery Way, as opposed to the current location of Mark Putnam Road.

The traffic control order has been in place the required trial period. The traffic control action undertaken is described in the attached resolution and would become permanent upon acceptance by the City Council. We have received only positive comments from the public regarding this traffic control action.



# Midland

*City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax*

BY COUNCILMAN

RESOLVED, that Traffic Control Order No. R-15-04 filed September 10, 2015 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That the speed limit on S. Saginaw Road from Mark Putnam Road to 275 feet south of Discovery Way shall be 45 mph.

is hereby made permanent.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeave vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 23, 2015.

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Selina Tisdale, City Clerk



DISCOVERY WAY

SAGINAW

R-15-04



AUSTIN

BAY CITY

CORNING

MARK PUTNAM

CURRENTLY



LOCATION MAP  
FOR TRAFFIC CONTROL ORDER NO.  
R-15-04

Attached documents for item \* Approving the request of Momentum Midland to conduct a Midland Winter Village on December 3, 10 and 17. MCMANUS

**SUMMARY REPORT TO CITY MANAGER**  
for City Council Meeting of November 23, 2015

**SUBJECT:** MIDLAND WINTER VILLAGE, DECEMBER 3, 10 and 17, 2015

**INITIATED BY:** City of Midland Engineering Department

**RESOLUTION SUMMARY:**

The attached resolution approves the request of Momentum Midland to conduct a Midland Winter Village on December 3, 10 and 17, 2015.

**ITEMS ATTACHED:**

1. Letter of transmittal
2. Letter of request
3. Resolution

**CITY COUNCIL ACTION:**

3/5 vote required to approve resolution

**SUBMITTED BY:** Brian McManus, City Engineer



# Midland

*City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax*

November 18, 2015

Jon Lynch, City Manager  
City of Midland  
Midland, MI 48640

Dear Mr. Lynch:

Attached please find a request from Momentum Midland seeking permission to conduct a Midland Winter Village on December 3, 10 and 17, 2015 from 4:00-10:00 p.m., utilizing the public right-of-way. The Administrative Staff has reviewed the request and recommends approval subject to the following conditions:

- The responsible party and contact number for the event date is ChelseaRae Rowley, 989-837-1222.
- A Certificate of Liability Insurance in the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate, with the City of Midland named as Additional Insured must be submitted to the City Engineer's Office no less than five days prior to the event. You may fax it to 989-837-5708.
- Department of Public Services will provide barricades for the road closure per Engineering's Traffic Control Order. The event organizers will be responsible for setting/removing the barricades from the street for the actual closures.
- Note that the Polar Express Santa Train uses Gordon Street to loop back to the Santa House on the return trip. They have agreed to use an alternate route on these three days.
- Contact the Parks Department at 837-6930 if picnic tables or trash receptacles are needed. There may be a fee associated with these items.

Attached for your consideration is a resolution which will grant approval of the request. The resolution also grants authority to the Administrative Staff to approve future requests if conducted in substantially the same manner.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Brian P. McManus  
City Engineer

BPM:pp

## CITY OF MIDLAND EVENT REQUEST

Please submit a request for your event as soon as you have the basic information to do so.

Processing time for an event can take 4-6 weeks depending on the level of permissions needed and level of support by the City of Midland.

First-time events typically require City Council consideration; City Council generally meets every other Monday.

Event requests should be addressed to Brian McManus, City Engineer, 333 W. Ellsworth, Midland, MI 48640 or via email to [bmcmanus@midland-mi.org](mailto:bmcmanus@midland-mi.org)

Event Name Midland Winter Village

Date Dec. 3, 10 & 17 Time 4 p.m. - 10 p.m. Duration 6 hours per day

Location Gordon Street- Starting at Main and ending before the entrance to the United Way parking lot. (This allows the parking lot continue to be used during the event for United Way business purposes. START & END shown on attached map.)

Explanation of what your event is and details of what will take place during the event

The Winter Village will be another great destination for Midland residents and guests to enjoy during the holiday month. Located close to the Santa House, the Village (if approved) will offer food, crafts and a unique social gathering spot in Downtown.

Profit or non-profit status # Midland Exploring Our Future/ ACER Group

Are you charging a fee? If so, give details Vendors will be charged a \$15 fee. This money will be used to cover the logistical costs of the event.

Provide diagram laying out the event, if needed.

If event is a race:

Name of Race \_\_\_\_\_ Length of Race \_\_\_\_\_

Number of expected participants \_\_\_\_\_

City facilities requested to be used \_\_\_\_\_

Rail Trail requested to be used \_\_\_\_\_

City streets requested to be used \_\_\_\_\_

Detailed sketch of requested route is required.

Sponsor and/or organizer of event \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

Cell Phone \_\_\_\_\_ Is this a repeat event? \_\_\_\_\_

**NO EVENTS CAN BE SCHEDULED IN THE FARMERS MARKET AREA ON WEDNESDAYS AND SATURDAYS, MAY-OCTOBER FROM 6:00 A.M. TO 3:00 P.M. IN THE AREA OUTLINED IN YELLOW ON THE ATTACHED MAP.**

- Depending on the event, a certificate of special event liability insurance in the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate, with the City of Midland named as an Additional Insured may be required.
- No markings of any type (ie, paint, spray paint, spray chalk, chalk, etc.) are permitted on the trail route surfaces.
- City will review need for cost recovery for City expense if event requires unique or non-standard efforts on City's part or for any necessary clean-up of the area by the City.

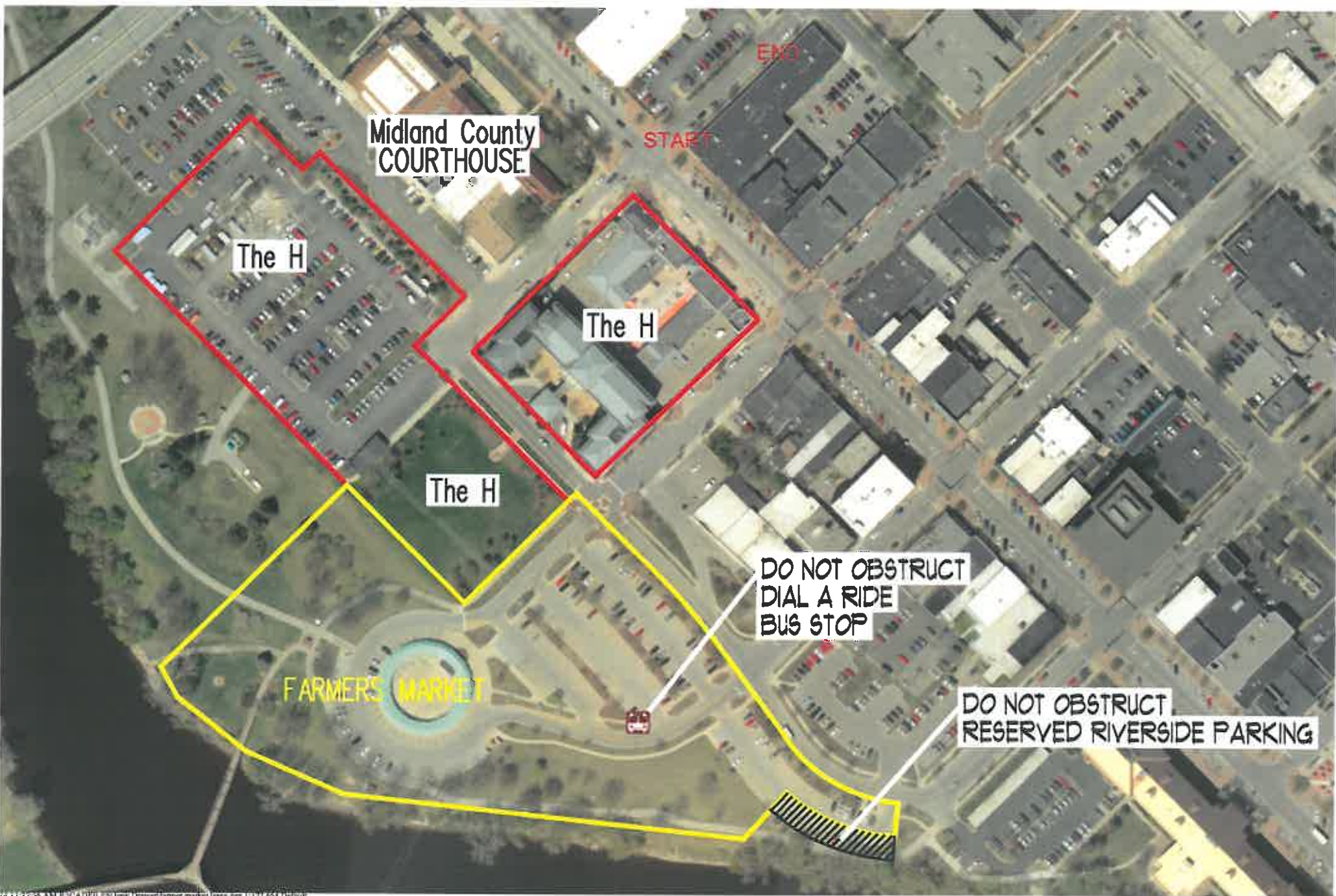
November 9, 2015

Date

Signature of Applicant

Chelsea Rae Rowley







# Midland

*City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax*

BY COUNCILMAN

RESOLVED, that the request from Momentum Midland seeking permission to conduct a Midland Winter Village on December 3, 10 and 17, 2015 from 4:00-10:00 p.m., utilizing the public right-of-way, is hereby approved subject to the following conditions:

- The responsible party and contact number for the event date is ChelseaRae Rowley, 989-837-1222.
- A Certificate of Liability Insurance in the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate, with the City of Midland named as Additional Insured must be submitted to the City Engineer's Office no less than five days prior to the event. You may fax it to 989-837-5708.
- Department of Public Services will provide barricades for the road closure per Engineering's Traffic Control Order. The event organizers will be responsible for setting/removing the barricades from the street for the actual closures.
- Note that the Polar Express Santa Train uses Gordon Street to loop back to the Santa House on the return trip. They have agreed to use an alternate route on these three days.
- Contact the Parks Department at 837-6930 if picnic tables or trash receptacles are needed. There may be a fee associated with these items.

; and

RESOLVED FURTHER, that the Administrative Staff is hereby authorized to approve future requests for the event provided it is conducted in substantially the same manner.

YEAS:

NAYS:

ABSENT:



I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a           yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 23, 2015.

---

Selina Tisdale, City Clerk

Attached documents for item \* Approving the request of the Midland Downtown Business Association to conduct Holly Jolly Days on the weekends of December 5 & 6 and December 12 & 13. MCMANUS

**SUMMARY REPORT TO CITY MANAGER**  
for City Council Meeting of November 23, 2015

**SUBJECT:** HOLLY JOLLY DAYS, DECEMBER 5 & 6 AND 12 & 13, 2015

**INITIATED BY:** City of Midland Engineering Department

**RESOLUTION SUMMARY:**

The attached resolution approves the request of the Midland Downtown Business Association to conduct Holly Jolly Days on the weekends of December 5 & 6 and December 12 & 13, 2015.

**ITEMS ATTACHED:**

1. Letter of transmittal
2. Letter of request
3. Resolution

**CITY COUNCIL ACTION:**

3/5 vote required to approve resolution

**SUBMITTED BY:** Brian McManus, City Engineer



# Midland

*City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax*

November 18, 2015

Jon Lynch, City Manager  
City of Midland  
Midland, MI 48640

Dear Mr. Lynch:

Attached please find a request from the Midland Downtown Business Association seeking permission to conduct Holly Jolly Days on the weekends of December 5 & 6 and December 12 & 13, 2015, utilizing the public right-of-way and amplified sound. The Administrative Staff has reviewed the request and recommends approval subject to the following conditions:

- The responsible party and contact number for the event date is Lacey Todd, 837-3313.
- The MDBA certificate of liability insurance previously submitted is effective from September 15, 2013 to September 15, 2016 and is on file.
- The sidewalk will be used for intermittent speaker placement.
- The event will have amplified sound.
- The event will use electricity from the Main Street city-owned light poles.
- The event will feature horse carriage rides.

Attached for your consideration is a resolution which will grant approval of the request. The resolution also grants authority to the Administrative Staff to approve future requests if conducted in substantially the same manner.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Brian P. McManus  
City Engineer

BPM:pp



October 30, 2015

Mr. Brian McManus  
Midland City Hall  
333 W. Ellsworth  
Midland, MI 48640

Re: Downtown Midland Holly Jolly Days 2015

Dear Mr. McManus:

The Midland Downtown Business Association (MDBA) requests approval from the City of Midland to conduct Holly Jolly Days on December 5 & 6, 12 & 13 2015 from 12:00 p.m. – 4:00 p.m. in Downtown Midland.

Holly Jolly Days is primarily a shopping event where patrons can enjoy free hot chocolate as well as use a \$5 off a \$25 purchase coupon at participating restaurants and retailers in Downtown Midland. As in the past, there will be holiday themed music and horse drawn carriage rides along Main Street.

Our formal request is as follows:

- Use of public right-of-way (sidewalks) for intermittent speaker placement.
- Permission for amplified sound during the event.
- Electricity turned on Main Street light poles from 12 pm – 4 pm.
- Permission for Town's End Clydesdales & Carriage to provide carriage rides during the event along Main Street

The MDBA believes that this will be a fun event for the whole family. The approval of this request and the assistance of the City departments (where needed) would be greatly appreciated.

Sincerely,

Lacey Todd, MBA  
DDA Events Coordinator

333 W. Ellsworth St.  
Midland, MI 48640  
Phone: (989) 837-3313  
Fax: (989) 835-2717  
ltodd@midland-mi.org



# Midland

*City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax*

BY COUNCILMAN

RESOLVED, that the request from the Midland Downtown Business Association seeking permission to conduct Holly Jolly Days on the weekends of December 5 & 6 and December 12 & 13, 2015, utilizing the public right-of-way and amplified sound, is hereby approved subject to the following conditions:

- The responsible party and contact number for the event date is Lacey Todd, 837-3313.
- The MDBA certificate of liability insurance previously submitted is effective from September 15, 2013 to September 15, 2016 and is on file.
- The sidewalk will be used for intermittent speaker placement.
- The event will have amplified sound.
- The event will use electricity from the Main Street city-owned light poles.
- The event will feature horse carriage rides.

; and

RESOLVED FURTHER, that the Administrative Staff is hereby authorized to approve future requests for the event provided it is conducted in substantially the same manner.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a       yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 23, 2015.

---

Selina Tisdale, City Clerk

Attached documents for item \* E10 Ethanol Blend Unleaded Fuel purchase from November 10  
(4/5 vote required). MURPHY

SUMMARY REPORT TO MANAGER

**For City Council Meeting of November 23, 2015**

**SUBJECT:** Approve Fuel Purchase from November 10, 2015

**RESOLUTION SUMMARY:** This resolution waives the requirement for sealed proposals and approves the purchase of 13,305 gallons of E10 ethanol blend unleaded fuel from Tri-Lakes Petroleum for \$20,662.67 that was executed by the Purchasing Agent on November 10, 2015.

**ITEMS ATTACHED:**

1. Transmittal letter to City Manager
2. Resolution

**CITY COUNCIL ACTION:**

1. 4/5 vote required to approve resolution

---

Karen Murphy  
Director of Public Services

MMR





Department of Public Services ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640 ♦ 989.837.6900 ♦ 989.835.5651 Fax ♦ [www.cityofmidlandmi.gov](http://www.cityofmidlandmi.gov)

November 16, 2015

Jon Lynch  
City Manager  
Midland, Michigan

RE: Approve fuel purchase made on November 10, 2015

At their December 17, 2007 meeting, City Council adopted a resolution that allows the Purchasing Agent to purchase full tankers of unleaded gasoline and diesel fuel exceeding \$20,000, and seek approval for the purchase at the next available Council meeting. Fuel is ordered on an as needed basis to maintain an adequate supply to meet the demand of the city fleet as well as to keep a reserve on hand to cover any unanticipated increase in usage. This process was reviewed by City Council on December 21, 2009 and is still deemed to provide significant cost savings to the City.

Fuel is purchased through a competitive bid process whereby the Purchasing Agent faxes out a request for a price per gallon for unleaded and/or diesel fuel to a list of fuel suppliers. Interested suppliers fax back their prices the following morning. Due to the volatility of the fuel market, pricing is only valid for the remainder of that day. The fuel purchase is awarded to the lowest price supplier, and the fuel delivery is scheduled for that same day.

It should be noted that approval of fuel purchases will require a 4/5 vote due to the need to waive the requirement for sealed proposals as a result of the above-described bidding process.

Bids were received using this process on November 10, 2015 for 13,305 gallons of E10 ethanol blend unleaded fuel. Bids were received as follows:

Tri-Lakes Petroleum, Alma, MI	E10 Ethanol Blend Unleaded Fuel	\$1.5530/gallon
Michigan Petroleum, Port Huron, MI	E10 Ethanol Blend Unleaded Fuel	\$1.5600/gallon
Paxson Oil, Saginaw, MI	E10 Ethanol Blend Unleaded Fuel	\$1.5650/gallon
Hirschman Oil, Reese, MI	E10 Ethanol Blend Unleaded Fuel	\$1.6500/gallon

The low bid was received from Tri-Lakes Petroleum of Alma, Michigan, with a price of \$1.553 per gallon. The unit price includes the delivery charge, and the total purchase price was \$20,662.67 for 13,305 gallons of fuel delivered.

We are requesting that Council waive the requirements for sealed bids, and approve the purchase of 13,305 gallons of E10 ethanol blend unleaded fuel from Tri-Lakes Petroleum for \$20,662.67 that was executed by the Purchasing Agent on November 10, 2015.

Respectfully submitted,

---

Karen Murphy  
Director of Public Services

MMR

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Mike Meyer  
Purchasing Agent



Department of Public Services ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640 ♦ 989.837.6900 ♦ 989.835.5651 Fax ♦ [www.cityofmidlandmi.gov](http://www.cityofmidlandmi.gov)

BY COUNCILMAN

WHEREAS, City Council adopted a resolution on December 17, 2007 that allows the Purchasing Agent to purchase full tankers of unleaded gasoline and diesel fuel exceeding \$20,000, and seek approval for the purchase at the next City Council meeting; and

WHEREAS, City Council reviewed the process on December 21, 2009 and decided to continue as it still provides a significant cost savings to the City; and

WHEREAS, the volatility of the fuel market does not allow for staff to follow the usual sealed bid process for purchases exceeding \$20,000; and

WHEREAS, staff instead uses a competitive bid process whereby fuel vendors fax in prices that are valid for a particular day with the bid awarded to the lowest priced vendor; now therefore

RESOLVED, that the requirements for sealed proposals for the purchase of fuel are waived due to the volatility of the fuel market; and

RESOLVED FURTHER, that the purchase of 13,305 gallons of E10 ethanol blend unleaded fuel from Tri-Lakes Petroleum of Alma, Michigan for \$20,662.67 executed by the Purchasing Agent on November 10, 2015, is hereby approved.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a      yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 23, 2015.

---

Selina Tisdale, City Clerk

Attached documents for item \* Refurbishment of a Tandem Axle Dump Truck (4/5 vote required). MURPHY

SUMMARY REPORT TO MANAGER

**For City Council Meeting of November 23, 2015**

**SUBJECT:** Refurbishment of a Tandem Axle Dump Truck for Water Distribution

**INITIATED BY:** Department of Public Services

**RESOLUTION SUMMARY:** This resolution waives the requirement for sealed proposals and authorizes a purchase order in the amount of \$59,259 to Valley Truck Parts of Grand Rapids, MI, for the refurbishment of a water distribution tandem axle dump truck. This resolution also authorizes the City Manager to approve changes to the purchase order not to exceed \$5,000.

**ITEMS ATTACHED:**

1. Transmittal letter to City Manager
2. Resolution

**CITY COUNCIL ACTION:**

1. 4/5 vote required to approve resolution

---

Karen Murphy  
Director of Public Services



Department of Public Services ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640 ♦ 989.837.6900 ♦ 989.835.5651 Fax ♦ [www.cityofmidlandmi.gov](http://www.cityofmidlandmi.gov)

November 16, 2015

Jon Lynch  
City Manager  
Midland, Michigan

RE: Refurbishment of a Tandem Axle Dump Truck for Water Distribution

The Michigan Local Technical Assistance Program (LTAP) is sponsored by the Federal and State Departments of Transportation as a clearinghouse for information and training regarding construction and maintenance of transportation infrastructure. Through LTAP, Fleet Management staff became aware of several agencies throughout Michigan that have had aging snow and ice control dump trucks refurbished as opposed to replacing them with new units. After speaking with several of these cities and road commissions, they are universally happy with their choice to have trucks refurbished, both from a performance standpoint and as a cost savings measure, and plan to continue with refurbishment over replacement whenever practical. They also advised that rather than having several individual vendors working on body and paint, chassis repair, and auxiliary systems, they chose to have a single vendor perform all phases of the refurbishment. This not only made the process much smoother, but it results in having a single point-of-contact for any warranty issues that may arise after the truck is put into service.

After consultation with several Michigan municipalities and road commissions (including Branch County Road Commission, Calhoun County Road Commission, City of Wixom, Village of Omer) that have had trucks refurbished, the consensus was to use Valley Truck Parts of Grand Rapids as a known vendor that performs complete refurbishment on dump trucks. Valley begins with a dynamometer inspection of the engine and transmission to determine their condition, and then thoroughly inspects the rest of the vehicle to write an estimate for total refurbishment. They use a pricing structure that allows an accurate estimate of the “worst case” cost for each individual system on the truck, and they have a dedicated shop doing all of the refurbishment work in-house. They provide a 2-year warranty on all parts, and 1-year on labor.

Water Distribution has traditionally used tandem axle dump trucks to perform utility repair and routine maintenance on 359 miles of water main throughout the City. The trucks have an average expected useful life of ten years before replacement. Truck 309, a 2005 International 7500 dump truck which is scheduled for replacement this year, is an excellent candidate for refurbishment. If approved by City Council, this will be the third dump truck that the City has sent to Valley Truck for refurbishment.

Jon Lynch  
November 16, 2015  
Page Two

The chassis and engine are in good condition, but many of the sub-systems are experiencing repeated high-cost repairs. A complete inspection of the truck by Valley Truck and the City's Fleet Management staff has resulted in an estimate of \$59,259 for the refurbishment of the truck cab and chassis. This will include work on the engine, transmission, air system, charging system, cooling system, driveline, exhaust system, hydraulic system, front and rear axles, suspension, braking system, and the complete disassembly of the cab for repainting. If the City were to purchase a new cab and chassis, versus refurbishing the existing one, the estimated new purchase price would be \$143,000.

Once the refurbishment is complete, the City will install a new stainless steel body on the chassis at an estimated cost of \$40,000. The anticipated extended life of the refurbished truck is 8-10 years, which is similar to the anticipated life of a new vehicle. The estimated total cost for the refurbished truck with new dump body is \$99,259 whereas the cost to purchase a new truck (cab/chassis + dump body) is estimated at \$183,000, so choosing to refurbish the truck will save a substantial amount of money for the City.

Current City unit 309 →



The FY 2015-16 Equipment Revolving Fund's Capital Outlay budget includes adequate funds for the refurbishing of this unit. In lieu of replacing with a new unit, we recommend refurbishing the existing cab and chassis for \$59,259, with installation of a stainless steel dump body by the City once the refurbishment is complete. In order to move forward with the refurbish process, we request, in accordance with Section 2-18 of the Code of Ordinances, that City Council waive the requirement for competitive bids and authorize the Purchasing Agent to issue a purchase order in the amount of \$59,259 to Valley Truck Parts of Grand Rapids, MI, for the refurbishment of the cab and chassis for City unit 309. Due to the increasingly complex nature of assembling custom built equipment with components from different manufacturers, we recommend that the City Manager be authorized to approve changes to the purchase order not to exceed \$5,000 to cover any unforeseen modifications that may come up during the refurbishment process.

Respectfully submitted,

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Karen Murphy, Director of Public Services

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Mike Meyer, Purchasing Agent



Department of Public Services ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640 ♦ 989.837.6900 ♦ 989.835.5651 Fax ♦ [www.cityofmidlandmi.gov](http://www.cityofmidlandmi.gov)

BY COUNCILMAN

WHEREAS, Water Distribution uses tandem axle dump trucks for field work, and the refurbishment of current equipment is less costly than replacement with a new unit; and

WHEREAS, sufficient funding for the refurbishment of a tandem axle dump truck is available in the FY 2015-16 Equipment Revolving Fund budget for Capital Outlay, Vehicles; and

WHEREAS, Valley Truck Parts of Grand Rapids, Michigan has the ability to perform refurbishment on this type of equipment, yielding a refurbished unit with an 8-10 year extended useful life; now therefore

RESOLVED, that the City Council hereby determines that sealed bids are impractical, and in accordance with Section 2-18 of the Code of Ordinances, the requirement for sealed proposals is hereby waived; and

RESOLVED FURTHER, that the City Purchasing Agent is authorized to issue a purchase order in the amount of \$59,259 to Valley Truck Parts of Grand Rapids, MI, for the refurbishment of a tandem axle truck cab and chassis; and

RESOLVED FURTHER, that the City Manager is authorized to approve changes to the purchase order not to exceed \$5,000 to cover any unforeseen modifications that may come up during the refurbishment process.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 23, 2015.

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Selina Tisdale, City Clerk

Attached documents for item \* Purchase Order Increase to CTI and Associates, Inc. for general engineering services at the Landfill. BUSH



**SUMMARY REPORT TO MANAGER**  
For City Council Meeting of November 23, 2015

**SUBJECT:** LANDFILL – PURCHASE ORDER INCREASE FOR GENERAL  
ENGINEERING

**INITIATED BY:** Noel D. Bush, Utilities Director

**RESOLUTION SUMMARY:** This resolution authorizes an increase of \$80,000.00 to the existing purchase order amount of \$20,000.00 to CTI and Associates, Inc. of Wixom, bringing the total purchase order to \$100,000.00, in accord with Sec. 2-19 of the Code of Ordinances for the City of Midland, to continue providing general engineering services at the Landfill, and further authorizes the City Manager to approve changes modifying the purchase order in an aggregate amount not to exceed \$10,000.00.

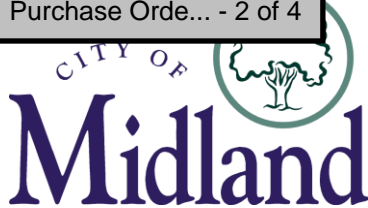
**ITEMS ATTACHED:**

1. Letter of transmittal
2. Resolution

**COUNCIL ACTION:**

1. 3/5 vote required to approve resolution.

NDB:jjjs



Utilities Department • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • (989) 837-3341 • [CitizenCommentsWater@midland-mi.org](mailto:CitizenCommentsWater@midland-mi.org)

November 18, 2015

Jon Lynch, City Manager  
Midland, Michigan

Re: LANDFILL – PURCHASE ORDER INCREASE FOR GENERAL ENGINEERING

Dear Mr. Lynch:

The City of Midland Landfill is highly regulated by the Michigan Department of Environmental Quality (MDEQ), and as a minimum, enforces EPA (Environmental Protection Agency) regulations in Michigan. Within the MDEQ, there are a number of Divisions that the City is accountable to, including:

**Air Quality Division**

- Dust
- Odor
- Oil burner emissions
- Backup generator emissions
- GTE emissions
- Flare emissions
- Pipeline/surface scan for gas leaks
- Gas collection and control system compliance
- Propane heaters in shop

**Water Resources Division**

- Groundwater monitoring
- Industrial storm water permit
- Surface water sampling
- Erosion/sedimentation control

**Office of Waste Management and Radiological Protection Division**

- Solid waste
- Litter control
- Special waste acceptance
- Asbestos handling and recordkeeping
- Bioreactor permit
- Compost/yard waste recycling operation

The City's Landfill engineering consultant, CTI and Associates, Inc. (CTI), routinely assists Landfill staff with engineering support needed to comply and report to the MDEQ and its Division representatives.

Each year we budget over \$150,000.00 for environmental compliance, testing, and reporting. General engineering support includes:

- Review of special waste profiles;
- Regulatory support associated with the MDEQ;
- Compliance reporting;
- Materials testing;
- Site survey support and airspace calculations;
- Weekly compliance review of gas well field data;
- Quarterly surface scans testing for gas leaks in the Landfill soil cover and the gas pipeline to the Gas to Energy facility, for compliance and reporting;
- Support for the Gas to Energy facility and Landfill Gas Compressor facilities;
- Recordkeeping and updates to required operating plans;
- Bioreactor recordkeeping and analysis;
- Ongoing maintenance of as-built construction drawings for gas collection system modifications at the Landfill, mapping pipe additions as waste fills an area; and
- Greenhouse gas emission testing and reporting to the EPA and MDEQ.

As is the practice the first part of each year, we administratively approve a purchase order in the amount of \$20,000.00 for uninterrupted engineering support. As we get deeper into the fiscal year, we gain more insight into what our real needs for general engineering are going to be. At that point, we seek Council approval for an increase to that purchase order in an amount that we expect is needed for the remainder of the year. As the extent of the support is difficult to anticipate, we include in our increase request an amount that will authorize the City Manager to make any additional changes within limits.

Staff and CTI have determined that a purchase order increase of \$80,000.00 will fund the Landfill's regulatory and operational obligations for the balance of the 2015/16 fiscal year, bringing the total purchase order amount to \$100,000.00.

Funding is available for this purpose in the 2015/16 Landfill accounts 517.8110.80.002 – Professional Services and 517.8110.81.004 – Testing. The attached resolution has been prepared for the increase to the purchase order with CTI, in accord with Sec. 2-19 of the Code of Ordinances for the City of Midland, and further authorizes the City Manager to approve changes modifying the purchase order in an aggregate amount not to exceed \$10,000.00. A 3/5 vote is required for approval.

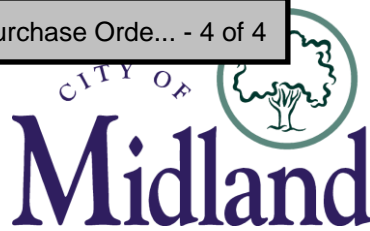
Respectfully submitted,

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Noel Bush, Utilities Director

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Mike Meyer, Purchasing Agent



*Utilities Department • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • (989) 837-3341 • [CitizenCommentsWater@midland-mi.org](mailto:CitizenCommentsWater@midland-mi.org)*

## BY COUNCILMAN

WHEREAS, each year funds are budgeted for general engineering support to provide assistance to landfill staff; and

WHEREAS, an administratively approved purchase order in the amount of \$20,000.00 was made early in the fiscal year to CTI and Associates, Inc. of Wixom (CTI) to begin the general engineering services work; and

WHEREAS, staff and CTI have determined that a purchase order increase of \$80,000.00 will fund the Landfill's expected regulatory and operational obligations for the balance of the 2015/16 fiscal year; and

WHEREAS, funding is available for this purpose in the 2015/16 Landfill accounts 517.8110.80.002 – Professional Services and 517.8110.81.004 – Testing; now therefore

RESOLVED, that an increase of \$80,000.00 to the existing purchase order of \$20,000.00 to CTI and Associates, Inc., is hereby authorized, bringing the total purchase order to \$100,000.00 for continued general engineering services at the Landfill; and

RESOLVED FURTHER, that the City Manager is hereby authorized to approve change orders in an aggregate amount not to exceed \$10,000.00.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 23, 2015.

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Selina Tisdale, City Clerk

Attached documents for item \* Purchase Order Increase to Stantec Consulting of Michigan for additional construction phase engineering services for painting, sealing and masonry repairs at the Wastewater Treatment Plant. BUSH

**SUMMARY REPORT TO MANAGER**

For City Council Meeting of November 23, 2015

**SUBJECT:** WASTEWATER TREATMENT PLANT - ENGINEERING FOR PAINTING, SEALING, AND MASONRY REPAIRS, CHANGE NO. 2

**INITIATED BY:** Noel D. Bush, Utilities Director

**RESOLUTION SUMMARY:** This resolution authorizes an increase of \$6,785.00 to an existing purchase order of \$24,900.00 with Stantec Consulting of Michigan, for additional construction phase engineering services for painting, sealing, and masonry repairs at the Wastewater Treatment Plant, bringing the total amount of the purchase order to \$31,685.00, in accord with Sec. 2-18 of the Code of Ordinances for the City of Midland.

**ITEMS ATTACHED:**

1. Letter of transmittal
2. Resolution

**COUNCIL ACTION:**

1. 3/5 vote required to approve resolution.

NDB:jjjs



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November 18, 2015

Jon Lynch, City Manager  
Midland, Michigan

RE: WASTEWATER TREATMENT PLANT - ENGINEERING FOR PAINTING, SEALING,  
AND MASONRY REPAIRS, CHANGE NO. 2

Dear Mr. Lynch:

In August 2014, Stantec Consulting of Michigan was directed by Wastewater staff to make an initial inspection and identify deficiencies of the structures at the Wastewater Treatment Plant (WWTP). The deficiencies involve painting, sealing, and masonry repairs.

Stantec made a proposal to provide the scope of services for each phase of Design, Bidding, and Construction Administration, and a purchase order in the amount of \$17,900.00 was administratively approved to begin the work.

On July 13, 2015, Council authorized an increase to the purchase order in the amount of \$7,000.00, bringing the total to \$24,900.00, to expand the scope of engineering services to include the Digester Compressor Houses, Digesters, Light Poles, Gas Piping Insulation, and Administration Building masonry closures. Council subsequently approved a contract with Graham Construction Corp. to begin the repairs on July 27.

As the construction process began, it was discovered that the layers of foam insulation on the primary digesters would need to be completely removed and not just coated, as was the initial plan, resulting in additional site visits and meetings with Stantec to determine the proper repair techniques. This also required a change order to the construction contract, requiring increased contract administration by Stantec. It is therefore recommended that authorization be made to increase the current purchase order in the amount of \$6,785.00 for additional engineering services related to the construction contract, bringing the total purchase order to \$31,685.00.

Funds have been budgeted in Wastewater Fund Project WW1501 - WWTP Improvements for this purpose. A 3/5 vote is required to approve the resolution.

Respectfully submitted,

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Noel Bush, Utilities Director

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Mike Meyer, Purchasing Agent



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BY COUNCILMAN

WHEREAS, in August 2014, Stantec Consulting of Michigan was directed by Wastewater staff to make an initial inspection and identify deficiencies of the structures at the Wastewater Treatment Plant (WWTP); and

WHEREAS, the engineering services proposal was made to provide the scope of services for each phase of Design, Bidding, and Construction Administration, and a purchase order in the amount of \$17,900 was administratively approved to begin the work; and

WHEREAS, on July 13, 2015, Council authorized an increase to the purchase order in the amount of \$7,000.00, bringing the total to \$24,900.00, to expand the scope of engineering services to include the Digester Compressor Houses, Digesters, Light Poles, Gas Piping Insulation, and Administration Building masonry closures; and

WHEREAS, it was discovered during the construction process that the layers of foam insulation on the primary digesters would need to be completely removed and not just coated, as was the initial plan, resulting in additional site visits and meetings with Stantec to determine the proper repair techniques, which also caused a change order to the construction contract, requiring increased contract administration by Stantec; and

WHEREAS, funds have been budgeted in Wastewater Fund Project WW1501 - WWTP Improvements; now therefore

RESOLVED, that an increase of \$6,785.00 to an existing purchase order of \$24,900.00 to Stantec Consulting of Michigan is hereby authorized, bringing the total purchase order to \$31,685.00 for additional construction phase engineering services for painting, sealing, and masonry repairs at the Wastewater Treatment Plant.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a        yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 23, 2015.

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Selina Tisdale, City Clerk



Attached documents for item \* Propagation Study for pump/lift station telemetry - Wastewater.  
BUSH

**SUMMARY REPORT TO MANAGER**  
For City Council Meeting of November 23, 2015

**SUBJECT:** WASTEWATER FUND – TELEMETRY PROPAGATION STUDY, BID NO. 3736

**INITIATED BY:** Noel D. Bush, Utilities Director

**RESOLUTION SUMMARY:** This resolution accepts the low bid submitted by J & K Communications of Columbia City, Indiana, for a propagation study for pump/lift station telemetry for the City's sanitary sewer collections system, and authorizes a purchase order to be issued in the amount of \$30,157.00, in accord with Sec. 2-18 of the Code of Ordinances for the City of Midland, and further authorizes the City Manager to approve changes modifying the purchase order in an aggregate amount not to exceed \$5,000.00.

**ITEMS ATTACHED:**

1. Letter of transmittal
2. Resolution

**COUNCIL ACTION:**

1. 3/5 vote required to approve resolution.

NDB;jjs



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November 18, 2015

Jon Lynch, City Manager  
Midland, Michigan

RE: WASTEWATER FUND – TELEMETRY PROPAGATION STUDY, BID NO. 3736

Dear Mr. Lynch:

The City of Midland has 44 sewage pump/lift stations throughout its collection system. The Wastewater Treatment Plant (WWTP) currently monitors these stations using a technology called “tone telemetry” over leased phone lines. The information from the telemetry is connected to the plant SCADA (Supervisory Control and Data Acquisition) system. Staff monitors the pump station activity on a plant computer. The telemetry transmits valuable information on whether a pump is running, pump speed, flow meter data, wet well levels, and alarm conditions.

Staff is looking to move away from the old tone telemetry technology for its pump/lift station SCADA system, and move to radio communication technology that is used industry-wide.

There are several reasons for the move: 1) the leased phone lines cost the City in aggregate over \$26,000 per year, 2) the manufacturer does not make the equipment anymore, and will only repair existing equipment, and 3) the phone line carrier, AT&T, is not proficient with troubleshooting or installing tone telemetry.

Staff has researched the use of licensed radio communication and it has been recommended by numerous industry resources to have a telemetry (radio) propagation study performed to determine what radio, frequency, and antennae heights would be most reliable for the City’s application. The study will involve a computer simulated topographical test, and then a field test at all 44 locations to help determine the most appropriate equipment to be used. Staff sent out a bid for the study and for the purpose of obtaining a radio license for the city.

On Tuesday, November 10, 2015, sealed bids were received and opened, in accord with Sec. 2-18 of the Code of Ordinances for the City of Midland for Bid No. 3736, Propagation Study for WWTP. The bids received were from two reputable vendors, as follows:

Bidder	Total Bid
<b>J &amp; K Communications, Columbia City, IN</b>	<b>\$ 30,157.00</b>
UIS SCADA Inc, Dexter, MI	39,295.00

J & K Communications submitted the low bid, and comes highly recommended by the City's SCADA integrator/programmer. J & K is known for designing, supplying and servicing quality data and voice radio communication systems, and staff recommends award to prepare a propagation study for the WWTP and its pump/lift stations in the amount of \$30,157.00.

Funds have been budgeted in Wastewater Enterprise Fund Project WW1502 - WWTP Plant/Pump Station Communication Upgrade. A 3/5 vote is required to approve the resolution.

Respectfully submitted,

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Noel Bush, Utilities Director

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Mike Meyer, Purchasing Agent



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BY COUNCILMAN

WHEREAS, the City of Midland has 44 sewage pump/lift stations across the city that are monitored from the Wastewater Treatment Plant (WWTP) using a technology called “tone telemetry” over leased phone lines; and

WHEREAS, staff is looking to move away from the old tone telemetry technology for its pump/lift station SCADA system, and move to radio communication technology that is used industry-wide; and

WHEREAS, staff has researched the use of licensed radio communication and it has been recommended by numerous industry resources to have a telemetry (radio) propagation study performed to determine what radio, frequency, and antennae heights would be most reliable for the City’s application; and

WHEREAS, on Tuesday, November 10, 2015, sealed bids were received and opened, in accord with Sec. 2-18 of the Code of Ordinances for the City of Midland for Bid No. 3736, Propagation Study for WWTP; and

WHEREAS, funding has been budgeted in Wastewater Enterprise Fund Project WW1502 - WWTP Plant/Pump Station Communication Upgrade; now therefore

RESOLVED, that the low bid submitted by J & K Communications of Columbia City, Indiana, in the amount of \$30,157.00 for a propagation study for pump/lift station telemetry for the City’s sanitary sewer collections system, is hereby accepted and a purchase order is authorized; and

RESOLVED FURTHER, that the City Manager is authorized to approve change orders in an aggregate amount not to exceed \$5,000.00.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a        yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, November 23, 2015.

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Selina Tisdale, City Clerk